

**Policing the 'Social Evil': Prostitution in Edinburgh and
Glasgow, 1892-1939**

Louise Settle

School of History
University of Edinburgh
2013

This dissertation is submitted for the degree of Doctor of Philosophy

Declaration

I declare that this thesis has been composed by me and that the work is my own. It has not been submitted for any other degree or professional qualification. Any use of ant material herein, for personal or academic purposes, must be properly acknowledged. Chapter two was submitted, with some revisions and with the consent of my supervisors, for publication in the *Journal of Scottish Historical Studies*. It is expected to appear in November 2013.

Louise Settle

30 April 2013

Abstract

This thesis examines the formal and informal methods that were used to regulate prostitution in Edinburgh and Glasgow between 1892 and 1939 and explores the ways in which this influenced the lives of the women involved. Whilst there has been a considerable amount of research on prostitution during the nineteenth century, particularly in relation to England, the history of prostitution in Scotland during the early twentieth century has been relatively neglected. This thesis therefore begins to fill that lacuna.

The thesis argues that in Edinburgh and Glasgow, the police, magistrates, voluntary organisations and the probation service increasingly worked together to develop a new 'penal-welfare' approach towards controlling prostitution. Consequently, women who were caught soliciting were increasingly placed on probation or sent to reform homes, rather than to prison. The thesis therefore explores the role of voluntary organisation and suggests that the methods that were used to reform women in accordance with middle-class understandings of femininity and domesticity were consequently transferred into official practice.

Whilst social reformers may have wanted to banish prostitution from respectable society, the thesis demonstrates that, in practice, any attempt to remove prostitution from the centre of the city was unsuccessful, and women continued to work on some of the most prominent streets in Edinburgh and Glasgow. Moreover, an examination of the Edinburgh and Glasgow police and court records shows that, contrary to what happened in London during this period, prostitution was not increasingly criminalised, but that prosecution rates declined and the police became more reluctant to arrest prostitutes. Nonetheless, brothel-keepers and 'bullies' continued to be targeted by the police because of their assumed abuse of prostitutes. The thesis therefore examines the complexities of these different relationships.

By focusing on the lives of the women involved in prostitution, the thesis argues that women primarily continued to engage in prostitution due to poverty and a range of wider socio-economic factors that encouraged them to seek the higher wages that prostitution provided. However, although poverty, abuse and exploitation remained a common feature in the lives of many of the women involved in prostitution, this thesis explores the numerous ways in which women attempted to negotiate those difficulties. Whilst the women were not always successful in resisting the institutions and individuals who attempted to control or exploit them, by exploring the experiences of the women, this thesis highlights their historical agency, something which has too often been overlooked.

Table of Contents

	Page
Abstract	ii
Acknowledgements	iv
List of Figures and Tables	v-vii
List of Abbreviations	vii
Chapter One: Introduction	1-28
Chapter Two: The Geography of Prostitution in Edinburgh and Glasgow	29-71
Chapter Three: The Policing of Prostitution in Edinburgh and Glasgow	72-111
Chapter Four: Voluntary Organisations and the Probation Service	112-147
Chapter Five: Women's Experiences of Prostitution	148-192
Chapter Six: Clandestine Prostitution and the Kosmo Club	193-223
Chapter Seven: Conclusion	224-236
Bibliography	236-252

Acknowledgements

First and foremost I would like to thank my supervisors Dr Louise Jackson and Dr Gayle Davis for their invaluable support, guidance and expertise. I would also like to thank Professor Richard Rodger and Karen Howie for all their IT support and Dr Chris Grocott for providing me with the encouragement to pursue this degree.

I am grateful to the Arts and Humanities Research Council for providing the financial support that was essential for this project. Thank you also to all the very helpful archivists and members of staff at the Edinburgh City Archives, the Glasgow City Archives, the National Records of Scotland and the National Library of Scotland.

I would like to thank all my family, friends and colleagues who have provided me with advice, friendship and laughter. I am also very grateful to Vince Settle, Pertti Ahonen, Malcolm Craig, Frances Houghton and Jane Judge for helping with the final editing process. In particular, I would like to thank Pertti Ahonen for all your love, patience and support. Finally, I would like to dedicate this thesis to my wonderfully loving and supportive parents Vince and Linda Settle.

List of Figures and Tables

	Page
Figure 2.1: Importuning Convictions, Edinburgh Streets, 1903.....	31
Figure 2.2: Importuning Convictions, Edinburgh Districts, 1903.....	31
Figure 2.3: Location of Importuning Convictions on Edinburgh Map.....	32
Figure 2.4: Importuning Convictions, Edinburgh Streets, 1911.....	33
Figure 2.5: Importuning Convictions, Edinburgh Districts, 1911.....	34
Figure 2.6: Location of Importuning Convictions on Edinburgh Map.....	34
Figure 2.7: Importuning Convictions, Edinburgh Streets, 1921.....	35
Figure 2.8: Importuning Convictions, Edinburgh Districts, 1921.....	35
Figure 2.9: Location of Importuning Convictions on Edinburgh Map.....	36
Figure 2.10: Importuning Convictions, Edinburgh Streets, 1931.....	37
Figure 2.11: Importuning Convictions, Edinburgh Districts, 1931.....	37
Figure 2.12: Location of Importuning Convictions on Edinburgh Map.....	38
Figure 2.13: Home Addresses of Women Convicted for Importuning in Edinburgh.....	43
Figure 2.13: Home Addresses of Women Convicted for Importuning in Edinburgh.....	43
Figure 2.15: Home Addresses of Women Convicted for Importuning in Edinburgh.....	44
Figure 2.16: Home Addresses of Women Convicted for Importuning in Edinburgh.....	44
Figure 2.17: Home Addresses of Women Convicted for Importuning, Edinburgh, 1903-1939	59
Figure 2.18: Convictions for Brothel-Keeping, Edinburgh 1897 – 1936.....	59
Figure 2.19: Map of Police Districts in Glasgow in 1933.....	67
Figure 3.1: Comparison of National Solicitation offences Statistics with Edinburgh and Glasgow.....	98
Figure 3.2: Sentence Given for Importuning Offences in Edinburgh, 1911.....	101
Figure 3.3: Sentence Given for Importuning Offences in Edinburgh, 1921.....	102
Figure 3.4: Sentence Given for Importuning Offences in Edinburgh, 1931.....	102
Figure 3.5: Sentence Given for Importuning Offences in Edinburgh, 1903.....	103
Figure 3.6: Sentence Given for Importuning Offences in Edinburgh 1911.....	103
Figure 3.7: Sentence Given for Importuning Offences, 1921.....	104
Figure 3.8: Sentence Given for Importuning Offences in Edinburgh, 1931.....	104
Figure 3.9: Brothel-Keeping Convictions in Edinburgh, 1897–1936.....	107
Figure 3.10: Brothel-Keeping and Immoral Traffic Act Prosecutions and Convictions in Glasgow.....	107
Figure 5.1: Occupations of Women in Glasgow Duke Street Prison for an Importuning Offence.....	152
Figure 5.2: Occupations of Women in Glasgow Duke Street Prison for an Importuning Offence.....	152

Figure 5.3: Occupations of Women in Glasgow Duke Street Prison for an Importuning Offence	153
Figure 5.4: Occupations of Women in Glasgow Duke Street Prison for an Importuning Offence.....	153
Figure 5.5: Birth Place of Women Convicted for Importuning, 1903.....	158
Figure 5.6: Birth Place of Women Convicted for Importuning, 1911.....	159
Figure 5.7: Birth Place of Women Convicted for Importuning, 1921.....	159
Figure 5.8: Birth Place of Women Convicted for Importuning, 1931.....	159
Figure 5.9: Nationality of the Women Convicted for Importuning, 1903.....	160
Figure 5.10: Nationality of the Women Convicted for Importuning, 1911.....	160
Figure 5.11: Nationality of the Women Convicted for Importuning, 1921.....	161
Figure 5.12: Nationality of the Women Convicted for Importuning, 1931.....	161
Figure 5.13: Age of the Women Convicted of Importuning, 1903.....	163
Figure 5.14: Age of the Women Convicted of Importuning, 1911.....	164
Figure 5.15: Age of the Women Convicted of Importuning, 1921.....	164
Figure 5.16: Age of the Women Convicted of Importuning, 1931.....	164

Tables

Table 2.1: Percentage of Visits to Brothels in each Police District of Glasgow	67
Table 3.1: Prosecutions and Convictions for Importuning Offences in Scotland 1906 -1955.....	95
Table 3.2: Number of Prosecutions for Importuning Offences in Edinburgh.....	96
Table 3.3: Number of Prostitutes before the Court in Glasgow.....	97
Table 3.4: Immoral Traffic Convictions in Glasgow	109

List of Abbreviations

AMSH: The Association of Moral and Social Hygiene
CD: Contagious Diseases
DORA: Defence of the Realm Act.
EBCR: Edinburgh Burgh Court Records
ECA: Edinburgh City Archives
EMALC: Edinburgh Magdalene Asylum Ladies Committee
EPCCR: Edinburgh Police Criminal Conviction Register
GCA: Glasgow City Archives
GPLR: Glasgow Poor Law Records
GMIAR: Glasgow Magdalene Institute Annual Reports
GMIHCM: Glasgow Magdalene Institute Home Committee Minutes
IWM: Imperial War Museum
MLCNVASED: Minutes of the Ladies Committee National Vigilance Association of Scotland (Eastern Division).
NLS: National Library of Scotland.
NRS: National Records of Scotland
NUWW: National Union of Women Workers.
NVA: The National Vigilance Association.
NVASED: National Vigilance Association of Scotland, Eastern Division.
PC: Police Constable
SNSPCC: Scottish National Society for the Prevention of Cruelty to Children.
TWL: The Women's Library
VD: venereal disease
WPV: Women Police Volunteers.
WSPU: Women's Social and Political Union.
YWCA: Young Women's Christian Association.

Chapter One: Introduction

I think that if our prostitutes were driven off the streets there would be a danger to respectable women.

Edinburgh Chief Constable Roderick Ross, 1927.¹

Chief Constable Roderick Ross' 1927 statement highlights the ambiguities surrounding both the policing of prostitution and attitudes towards the nature and role of prostitution in society during the early twentieth century. On the one hand, Ross' proposal that 'our prostitutes' should not be 'driven off the streets' suggests that he was against this method of criminalising street prostitution and thought that prostitution performed a necessary role in society. On the other hand, he clearly saw the women who were involved in prostitution as being unrespectable and different to other women. Nonetheless, his use of the possessive pronoun 'our' suggests that he did not necessarily see them as outcasts from society. This thesis will explore how different methods of regulation, both formal and informal, influenced prostitution in Edinburgh and Glasgow during the first half of the twentieth century. How, in other words, did the police, voluntary organisations and probation officers work together to control and reform women involved in prostitution, and what impact did this have on the lives of the women? The experiences of these women, although difficult to ascertain, are central to this thesis. By focusing on their lives it is possible to determine some of the reasons as to why women became involved in prostitution and the difficulties they faced. Whilst abuse, exploitation and poverty affected many of the women, this thesis will also explore the ways in which women negotiated the challenges posed by the individuals and institutions that attempted to control or exploit them.

Since the legitimisation of prostitution as a serious subject for historical research in the 1970s, the historiography of prostitution has increased dramatically, resulting in the formation of a considerable field – one which covers a wide variety of time periods and geographic locations. These works range from individual studies of specific cities and countries² to those popular studies which attempt to give a more

¹ *Scotsman*, 28 January 1927, p. 11.

² See, for example, Jacques Rossiaud, *Medieval Prostitution* (Oxford: Basil Blackwell, 1988); Philippa Levine, *Prostitution, Race and Empire: Policing Venereal Disease in the British Empire* (London: Routledge, 2003); Sumanta Banerjee, *Under the Raj: Prostitution in Colonial Bengal* (New

general overview of international trends across several centuries.³ This diverse research has greatly increased our knowledge of prostitution across the world and provides useful analytical frameworks which can be used to help analyse the wider social implications of prostitution in different contexts.

The historiography of British prostitution, however, provides the most useful frame for this study. The British literature focuses predominantly on the nineteenth century, and in particular on the English experience.⁴ Whilst there is research on prostitution in Scotland during the nineteenth century, and a small selection which focuses on England during the first half of the twentieth century, there has been no research which combines these fields to investigate prostitution in early-twentieth-century Scotland.⁵ Considering that Scotland has distinctive traditions of law,

York: Monthly Review Press, 1998); Maria Luddy, *Prostitution and Irish Society 1800-1940* (Cambridge: Cambridge University Press, 2007); Mary Gibson, *Prostitution and the State in Italy, 1860-1915* (Ohio: Ohio State University Press, 1986); Victoria Harris, *Selling Sex in the Reich* (Oxford: Oxford University Press, 2010); Alain Corbin, *Women for Hire: Prostitution and Sexuality in France after 1850* (London: Harvard University Press, 1990); Laurie Bernstein, *Sonia's Daughters: Prostitutes and Their Regulation in Imperial Russia* (Berkeley: University of California Press, 1995); Christian Henriot, *Prostitution and Sexuality in Shanghai: A Social History, 1849-1949* (Cambridge: Cambridge University Press, 2001); Gail Hershalter, *Dangerous Pleasures: Prostitution and Modernity in Twentieth Century Shanghai* (Berkeley: University of California Press, 1997); Kay Daniels, *So Much Hard Work: Women and Prostitution in Australian History* (Sydney: Fontana, 1984); Donna J. Guy, *Sex & Danger in Buenos Aires: Prostitution, Family, and Nation in Argentina* (Lincoln: University of Nebraska Press, 1991); Ruth Rosen, *The Lost Sisterhood: Prostitution in America, 1900-1919* (London: Johns Hopkins University Press, 1982); Timothy J. Gilfoyle, *City of Eros: New York City, Prostitution, and the Commercialization of Sex, 1790-1920* (London: W.W. Norton, 1992); Marilyn Wood Hill, *Their Sisters' Keepers: Prostitution in New York City, 1830-1870* (London: University of California Press, 1993); Daniel Francis, *Red Light Neon: a History of Vancouver's Sex Trade* (Vancouver: Subway, 2006).

³ For general overviews and popular history see, for example, Nils Johan Ringdal, *Love For Sale: A Global History of Prostitution* (London: Atlantic, 2004); Mark Connelly, *The Response to Prostitution in the Progressive Era* (Chapel Hill: University of North Carolina Press, 1980); Mariana Valverde, *The Age of Light, Soap, and Water: Moral Reform in English Canada, 1885-1925* (Toronto: Toronto University Press, 2008); Neil Philip, *Working Girls: An Illustrated History of the Oldest Profession* (London: Bloomsbury 1991); Nicki Roberts, *Whores in History: Prostitution in Western Society* (London: Harper Collins, 1992).

⁴ See, for example, Judith R. Walkowitz, *Prostitution and Victorian Society: Women, Class and the State* (Cambridge: Cambridge University Press, 1980); Francis Finnegan, *Poverty and Prostitution: A Study of Victorian Prostitutes in York* (Cambridge: Cambridge University Press, 1980); Paula Bartley, *Prostitution, Prevention and Reform in England, 1860-1914* (London: Routledge, 2000); Tony Henderson, *Disorderly Women in Eighteenth-Century London: Prostitution and Control in the Metropolis, 1730-1830* (London: Longman, 1999).

⁵ On Scotland in the nineteenth century see, Linda Mahood, *The Magdalenes: Prostitution in the Nineteenth Century* (London: Routledge, 1990); on twentieth-century prostitution in England see, Julia Laite, *Common Prostitutes and Ordinary Citizens: Commercial Sex in London, 1885-1960* (Basingstoke: Palgrave Macmillan, 2012); Helen Self, *Prostitution, Women and Misuse of the Law: the Fallen Daughters of Eve* (London: Frank Cass, 2003); Stefan Slater, 'Pimps, Police and Filles de Joie: Foreign Prostitution in Interwar London', *The London Journal*, 32, 1 (2007) pp. 53-74.

medical practice, and practical policing,⁶ there has previously not been any research undertaken to discover how the unique Scottish context affected the nature of prostitution and its regulation in Scotland during the early twentieth century.⁷ In light of recent research which has shown how important the 'particularities of place' are for influencing prostitution, this thesis will therefore begin to address a significant lacuna within British social history.⁸

Prostitution has never technically been illegal in Britain; however, several acts and by-laws have been used to make prostitution-related offences, such as soliciting, brothel-keeping, and living off the immoral earnings of prostitution, illegal. During the early nineteenth century prostitution was mainly regulated using the vagrancy laws. These were not designed specifically to police prostitution, but they were used to prosecute women who engaged in prostitution by arresting them for offences such as causing public annoyance and disorder and committing indecent or riotous behaviour. In Scotland the common law offence 'breach of the peace' was used to similar effect during the early nineteenth century. In England and Wales the Contagious Diseases Acts of 1864, 1866 and 1869 made compulsory the genital examination of any women suspected of being a 'common prostitute' in particular port and garrison towns.⁹ However, this legislation was only enacted in specific towns (none of which were in Scotland), and they were mainly used for the purpose of reducing venereal disease within the armed forces. Therefore, in terms of widespread regulation of prostitution (as opposed to the medical regulation of

⁶ See, for example, David Barrie, *Police in the Age of Improvement: Police Development and the Civic Tradition in Scotland, 1775-1865* (Cullompton: Willan Publishing, 2008); Douglas Grant, *The Thin Blue Line: The Story of the City of Glasgow Police* (London: Long, 1973); Lindsay Farmer, "The Genius of our Law": Criminal Law and the Scottish Legal Tradition', in *Law in History: Histories of Law and Society* Vol. II (ed.), David Sugarman (Aldershot: Ashgate, 1996) pp. 97-115; Richard Cowley, *A History of the British Police: From its Earliest Beginnings to the Present Day* (Stroud: History Press, 2011); David Hamilton, *The Healers: A History of Medicine in Scotland* (Edinburgh: Mercatpress, 1981).

⁷ For research on prostitution in Scotland after the Second World War see, Roger Davidson and Gayle Davis, "'A Festered Sore on the Body of Society': The Wolfenden Committee and Female Prostitution in Mid-Twentieth-Century Scotland", *Journal of Scottish Historical Studies*, 24 (2005) pp. 80-98.

⁸ See, Philip Howell, *Geographies of Regulation: Policing Prostitution in Nineteenth Century Britain and the Empire* (Cambridge: Cambridge University Press, 2009).

⁹ For more on the Contagious Diseases Acts see, Pamela Cox 'Compulsion, Voluntarism, and Venereal Disease: Governing Sexual Health in England after the Contagious Diseases Acts', *Journal of British Studies*, 46, 1 (2007) pp. 91-115; Frank Mort, *Dangerous Sexualities: Medico-Moral Politics in England since 1830* (London: Routledge, 2000); Paul, McHugh, *Prostitution and Victorian Social Reform* (London: Croom Helm, 1979). Walkowitz, *Prostitution and Victorian Society*.

women in specific English garrison towns), the Contagious Diseases Acts were arguably not as influential as the national legislation which was passed, in part, as a result of the opposition to these Acts.

Opposition to the Contagious Diseases Acts came from a wide range of social, moral and politically motivated campaigners. These included working-class men and women who recognised the class bias inherent in the selection of suspect women, evangelicals who condemned the state regulation of vice, and the early feminists and campaigners who supported Josephine Butler's Ladies National Association for the Repeal of the Contagious Diseases Acts, a group which protested against the Acts because they allegedly licensed a double standard of morality which resulted in the oppression and ill-treatment of women.¹⁰ When the Acts were successfully repealed in 1886, many of these reformers, collectively known as the 'social purity movement', turned their attention towards 'white slavery'.¹¹ The moral panic, which was ignited by the tales of young British girls being abducted and forced into sexual slavery abroad, and fuelled by sensationalist newspaper articles such as W.T. Stead's 'The Maiden Tribute of Modern Babylon',¹² resulted in the enactment of the 1885 Criminal Amendment Act.¹³ Amongst several sections which aimed at policing morality, the Act raised the age of consent from thirteen to sixteen and made brothel-keeping illegal.¹⁴ In addition to the Act, the National Vigilance Association (NVA) was founded in order to help uphold and enforce these new morality laws throughout Britain.¹⁵

¹⁰ See, for example, Jane Jordan and Ingrid Sharp, *Josephine Butler and the Prostitution Campaigns: Diseases of the Body Politic* (London: Routledge, 2003); Lisa Nolland, *A Victorian Feminist Christian: Josephine Butler, the Prostitutes and God* (Carlisle: Paternoster, 2004); Philippa Levine, *Victorian Feminism, 1850-1900* (London: Century Hutchinson, 1987).

¹¹ For more on the social purity movement see, for example, Edward Bristow, *Vice and Vigilance: Purity Movements in Britain Since 1700* (Basingstoke: Palgrave Macmillan, 1977); Alan Hunt, *Governing Morals: A Social History of Governing Morals* (Cambridge: Cambridge University Press, 1999);

¹² William T. Stead, 'The Maiden Tribute of Modern Babylon', parts I-IV, *Pall Mall Gazette*, 6, 7, 8, 10 July 1885; for more on moral panics see, for example, Stanley Cohen, *Folk Devils and Moral Panics: The Creation of the Mods and Rockers* (Oxford: Basil Blackwell, 1987); Chas Critcher, *Moral Panics and the Media* (Milton Keynes: Open University Press, 2003).

¹³ For a further discussion of 'white slavery' see Edward Bristow, *Prostitution and Prejudice, the Jewish Fight against White Slavery, 1870-1939* (Oxford: Clarendon, 1982); Katarina Leppänen, 'Movement of Women: Trafficking in the Interwar Era' *Women's Studies International Forum*, 30, 6 (2007) pp. 523-533.

¹⁴ Criminal Law Amendment Act 1885 (48 & 4 Vict.c.69).

¹⁵ See, Vivienne E. Cree, *From Public Streets to Private Lives: The Changing Task of Social Work* (Aldershot: Avebury, 1995).

However, when considering the day-to-day policing of prostitution in Scotland, the separate Scottish legislation was arguably the most influential. The most important national legislation in Scotland was the 1892 Burgh Police (Scotland) Act. This Act stipulated that to 'loiter about or importune for the purposes of prostitution' by a 'common prostitute or streetwalker' was an offence punishable by a fine of up to forty shillings for each offence.¹⁶ The timeframe of this study begins in 1892 precisely because of this important national legislation. Although this Act was similar to its English and Welsh counterparts, it had several significant differences. In England and Wales the police had to prove that a woman had been soliciting to the 'annoyance of the inhabitants or passengers.'¹⁷ This could be difficult to prove and therefore slowed down the prosecution process, often resulting in the fabrication of evidence by the police, which in turn led to feelings of mistrust. In Scotland it was not necessary to prove annoyance, which lessened the need for fabricated evidence. Additionally, in accordance with Scottish legal tradition, the Procurator Fiscal, and not the police, was responsible for initiating prosecutions.¹⁸ Unlike in England and Wales, under Scottish law the uncorroborated evidence of one witness was not sufficient to prove a charge.¹⁹ This again helped to avoid the manufacture of false charges, which was perceived to have become a problem in England.²⁰ In Scotland the police also employed a system of cautioning which meant that a woman had to be seen importuning on three separate occasions before she could be arrested. Only if the woman was cautioned and reported several times was she formally charged and recognised as a 'common prostitute'.²¹ This helped to stop cases of mistaken identity and potentially meant that women who were only occasionally turning to prostitution had less chance of being labelled a 'common prostitute'. The thesis will therefore assess what impact these differences had on the policing of prostitution in Scotland.

¹⁶ The Burgh Police (Scotland) Act 1892 (55 & 56 Vict.c.55).

¹⁷ Report of the Street Offences Committee, pp. 1928-9 (cmd.3231), IX, 13, 16, 24-5, as cited in Davidson and Davis, 'A festering Sore on the Body of Society'.

¹⁸ See, Lindsay Farmer, *Criminal Law, Tradition and Legal Order: Crime and the Genius of Scots Law 1747 to the Present* (Cambridge: Cambridge University Press, 1997).

¹⁹ Ibid. p. 82.

²⁰ See, for example Clive Emsley, 'Sergeant Goddard: The Story of the Rotten Apple, or a Diseased Orchard?' in Amy Gilman Srebnick and Rene Levy (eds), *Crime and Culture a Historical Perspective* (Aldershot: Ashgate, 2005) pp. 85-104.

²¹ Davidson and Davis, 'A festering Sore on the Body of Society', p. 83.

In addition to the 1892 Burgh Police Act, individual cities within Scotland also had their own separate acts which were equally significant. In Edinburgh, the 1879 Edinburgh Municipal and Police Act stated that the 'common prostitute' or 'night walker' who:

loiters or importunes passengers for the purposes of prostitution in or near any street or court, or any common stair or passage, or in any public park or garden, Holyrood park, or any other open space frequented by the public shall be liable to a penalty not exceeding five pounds, or in the discretion of the judge or police, may, without a penalty being inflicted, be committed to prison for a period not exceeding that of 60 days.²²

Although it was very similar to the 1892 Act, the Edinburgh Act of 1879 gave the courts considerably more power to impose harsher fines and sentences. Therefore there were more options for harsher punishment in Edinburgh than in Glasgow. In Glasgow, the Glasgow Police (Further Powers) Act of 1892 meant that women could be fined up to 40 shillings and sentenced to prison for a period no longer than 60 days in default of payment.²³

Local licensing acts were also used for regulating prostitution. For example, the 1898 Edinburgh Burgh Police (Scotland) Act stipulated that:

The occupier of a place of public resort for the sale or consumption of provisions of refreshments of any kind, is placed under like restriction – being prohibited from knowingly harbouring prostitutes or suffering persons of notoriously bad fame to assemble therein.²⁴

This Act was specific to Edinburgh; however, similar licensing Acts also applied across Scotland. The 1903 Licensing (Scotland) Act prohibited publicans and hotel keepers from 'permitting men or women of notoriously bad fame from assembling and meeting within his premises.'²⁵

Other important Scottish legislation included the 1902 Immoral Traffic (Scotland) Act. The Act was introduced to target men who trafficked women into prostitution and lived off their immoral earnings, and men who 'in any public place persistently solicit or importune for immoral purposes.'²⁶ The Act allowed for

²² The Edinburgh Municipal and Police Act 1879 (42&43 Vict. c. cxxxii).

²³ The Glasgow Police (Further Powers) Act 1892 (55&56 Vict. c.165).

²⁴ Edinburgh Burgh Police (Scotland) Act 1898 (58&59 Vict c. 152).

²⁵ The Licensing (Scotland) Act 1903 (3 Edw 7, c. 25).

²⁶ The Immoral Traffic (Scotland) Act 1902 (1&2 Geo 5, c. 20).

imprisonment for up to six months, and the 1912 Criminal Law Amendment Act introduced the use of the cat tail whip as further punishment for these offences.²⁷ However, although this sounds particularly harsh, C.A. MacPherson, the Prosecutor to the Edinburgh Police Court in 1923, explained that there were few convictions under these Immoral Traffic Acts and that they referred to something 'much more grave' than mere solicitation.²⁸ In addition, The 1892 Burgh Police (Scotland) Act, section 301 (25) stipulated that 'every person who habitually or persistently importunes or solicits women or children for immoral purposes' is liable to a fine of 40 shillings.²⁹ This was intended to stop men from soliciting women and potentially could have been used to address the gender imbalance that had caused so much resistance from those who were opposed to the double moral standard of morality. However, MacPherson again pointed out that the legislation was effectively a dead letter because it was almost impossible to prove that a man was 'habitually or persistently importuning' and that his purpose was immoral.³⁰ Moreover, women were very reluctant to provide witness testimony in these types of cases. Instead of using this legislation to arrest men who solicited, molested and annoyed women on the street, MacPherson explained that the police used the common law offence of 'breach of the peace'.³¹ Therefore, although the police had difficulties implementing legislation against male solicitation, it is significant that the issue of men's involvement in prostitution was being acknowledged in Scotland.

Julia Laite's PhD thesis *Prostitution in London 1885-1930* and monograph 'Common Prostitutes and Ordinary Citizens: Commercial Sex in London, 1885-1960' provide a detailed analysis of prostitution in London and are perhaps the most useful studies for understanding prostitution during this period.³² Laite argues that, from 1885 to 1930, prostitution in London was increasingly criminalised. Her work,

²⁷ The Criminal Law Amendment Act 1912 (3&4 Geo 5, c. 38).

²⁸ The Women's Library, London, (hereafter TWL) 3AMS/B/04/02: Papers of The Association of Moral and Social Hygiene (hereafter AMSH), an address delivered by Edinburgh Police Court Prosecutor C.A Macpherson to the Edinburgh Women's Citizen Association (hereafter EWCA) on 11 January 1923 concerning Solicitation Laws in Scotland, p. 2.

²⁹ The Burgh Police (Scotland) Act 1892 (55&56 Vict.c.55).

³⁰ TWL 3AMS/B/04/02, AMSH papers, address delivered by Edinburgh Police Court Prosecutor C.A Macpherson to EWCA, on 11 January 1923, p. 2.

³¹ Ibid.

³² Julia Laite, *Prostitution in London 1885-1930* PhD thesis (Cambridge University, 2008); Julia Laite, *Common Prostitutes and Ordinary Citizens: Commercial Sex in London, 1885-1960* (Basingstoke: Palgrave Macmillan, 2012).

which focuses on the day-to-day practical enforcement of the law, has shown how, along with wider economic and social changes, policing practices were instrumental in shaping the nature of prostitution. Laite argues that criminalisation forced women to rely more heavily on third parties for protection against detection and facilitated a move to more hidden forms of indoor prostitution, thus decreasing their independence and increasing the possibilities for exploitation. For those who continued to work on the street, intensified police persecution meant that they would have less time to assess the situation and detect any key signs of danger, which was an important part of their safety procedures. Thus, the whole solicitation process became more dangerous. Similarly, Stefan Petrow also argues that the increased involvement of London's Metropolitan Police Force in policing moral offences, such as prostitution, made sex work more dangerous. However, he also suggests that the Metropolitan police's powers to effectively deter or eliminate prostitution were severely limited.³³

London is a unique city; its size and diversity mean that to generalise the findings from London to Scotland would be highly misleading. This thesis will therefore examine the extent to which criminalisation occurred in Edinburgh and Glasgow and argue that it was less intensive and detrimental in these Scottish cities than in London. Moreover, in Edinburgh and Glasgow arrest and conviction rates for soliciting offences continued to decline during the early twentieth century, arguably far more quickly than the reduction in overall rates of prostitution that may have been triggered by slight improvements in women's wages and welfare support.³⁴ Rather than pursuing increased persecution, the police in these Scottish cities appeared to be either ambivalent towards prostitution, or eager to help reform women without resorting to penal punishment. Therefore, whilst policing certainly played an important role in shaping the nature of prostitution, I will argue that wider socio-economic and cultural factors, such as changing entertainment patterns, technological developments in communication and transport, along with increased reliance on a

³³ Stefan Petrow, *Policing Morals: The Metropolitan Police and the Home Office, 1870-1914* (Oxford: Clarendon Press, 1994).

³⁴ See, for example, Ester Breitenbach and Eleanor Gordon, *The World is Ill divided: Women's Work in Scotland in the Nineteenth and Early Twentieth Centuries* (Edinburgh: Edinburgh University Press, 1990).

more penal-welfare approach towards controlling 'deviant' women, were at least equally important as criminalisation.

By looking more closely at the experiences of women involved in different types of prostitution, the thesis will also demonstrate how a move into more clandestine types of prostitution was not necessarily more isolating or harmful than working on the streets. Whilst all forms of prostitution potentially left women vulnerable to exploitation and abuse, this thesis will argue that it was women who lived alone and under the control of a 'pimp' who were in the most danger, rather than those who worked in clandestine environments, such as dance clubs. The relationships between 'prostitutes' and 'pimps' were often complex and not always characterised by the stereotypical 'abuser-victim' paradigm; nonetheless, the isolation of 'prostitutes' who were reliant on 'pimps' from other women did potentially make their situation more dangerous.³⁵ It has been suggested that increased criminalisation of street and indoor prostitution made women turn to 'pimps' for protection.³⁶ However, this thesis will show that this was not necessarily the case. Whilst the police did attempt to prosecute brothels and other more clandestine types of prostitution, their success rate was low and considerably impaired by the ability of those in the sex industry to find new methods of avoiding detection and prosecution – something reflected in the low conviction rate.

The notion that criminalisation increases the persecution and exploitation of women is commonly put forward by those who want legalisation, decriminalisation, or regulation of prostitution. One of the most vocal groups who typically want legalisation are sex workers themselves. These women argue that they should have the right to choose what they do with their own bodies and that the main problem for them is the 'whore stigma' associated with sex work – something which legalisation would potentially begin to undermine.³⁷ Some feminists agree with these arguments, vying for a more pragmatic approach which listens to the women who know the most about prostitution. They argue that if women choose to work in the sex industry, then

³⁵ The word prostitute will be used within the thesis, but with the understanding that this was a label used by contemporaries to describe and categorise women who engaged in acts of prostitution.

³⁶ Laite, *Common Prostitutes and Ordinary Citizens*.

³⁷ See, for example, The International Prostitute's Collective, <http://www.prostitutescollective.net/> accessed 1 June 2012.

they deserve the opportunity to work in a safe environment with the same employment rights and regulations as other jobs.³⁸

However, many radical feminists believe that prostitution needs to be abolished due to its inherently harmful nature, arguing that prostitution is a symptom and symbol of the gender inequalities still prevalent within society. They argue that women do not freely choose prostitution and that underlying socio-economic factors, such as poverty, inequality, drug and alcohol dependency and harmful childhood experiences, limit the scope of their 'choices' and make some women more likely to resort to prostitution. They argue, therefore, that criminalisation (albeit of those who buy sex as opposed to those who sell it) is thus necessary.³⁹

These issues are at the centre of a considerable split within feminism, one in which the issues of legal rights, equality and freedom of choice are fundamental. These different approaches have influenced the historiography. There is a noticeable contrast between historians who have focused on the evidence which gives accounts of the oppression suffered by women under patriarchy and those who have been more concerned with showing women's historical agency. For example, Sheila Jeffreys argues that abolitionism is the only solution for ridding society of this harmful and exploitative activity which no woman truly chooses.⁴⁰ Her monograph *The Spinster and her Enemies, 1880-1930* consequently places a strong emphasis on the role of the early feminists who campaigned for the abolition of prostitution, but ignores the other early feminist organisations, such as the Association for Moral and Social Hygiene (AMSH), which were more concerned about campaigning against the oppressive solicitation laws in favour of women's rights and liberties.⁴¹

Frances Finnegan's study of prostitution in York focuses on the lives of the women involved and the extreme poverty and lack of economic opportunities which

³⁸ See, for example, Jill Nagle, *Whores and Other Feminists* (London: Routledge, 1997); Sarah Bromberg, *Feminist Issues in Prostitution* (1997) from feministissues.com: <http://feministissues.com/> accessed 10 June 2012; Lisa McLaughlin, 'Discourses of Prostitution/Discourses of Sexuality' *Critical Studies in Mass Communication*, 8, 3 (1991) pp. 249-272.

³⁹ See, for example, Sheila Jeffreys, *The Industrial Vagina: The Political Economy of the Global Sex Trade* (Oxford: Routledge, 2009); Kathleen Barry, *The Prostitution of Sexuality* (New York: New York University Press 1995); Melissa Farley "'Bad for the body, bad for the heart": Prostitution Harms Women Even If Legalized or Decriminalized', *Violence Against Women*, 10 (2004) pp. 1087-1125.

⁴⁰ Sheila Jeffreys, *The Idea of Prostitution* (Melbourne: Spinifex Press, 1997).

⁴¹ Sheila Jeffreys, *The Spinster and her Enemies, Feminism and Sexuality 1880-1930* (London: Pandora, 1985).

drove women to work as prostitutes.⁴² Finnegan concludes that, as 'girls sickened, took to drink or became physically less attractive they inevitably took the downward path, leading first to what were described as "notorious" houses of ill fame, and finally to the streets or the workhouse'; therefore 'poverty was the result as well as the cause of their taking to prostitution.'⁴³ However, as Finnegan admits, her use of the newspaper reports of magistrates' court proceedings, the York Quarter sessions, refuge records, poor law application and report books means that the emphasis is inevitably on those women who were 'unsuccessful.'

Judith Walkowitz's monograph *Prostitution and Victorian Society* covers a similar period, but she predominantly examines the Contagious Diseases Acts of 1864, 1886 and 1869 in Southampton and Portsmouth.⁴⁴ Whereas Finnegan focuses on the poverty and suffering the women faced, Walkowitz places a stronger emphasis on how they resisted the 'technologies of power' (such as the police, magistrates, medical profession, voluntary rescue organisations and reform institutes) which attempted to label and control them by marginalizing sexually 'deviant' women. Whilst agreeing that suffering was a central feature of life for many of these women, Walkowitz highlights how they were not passive victims, but autonomous individuals who adapted to a hostile economic and social environment. Her later work *City of Dreadful Delight* expands on this analysis by utilising more cultural sources such as newspapers, fiction and music hall songs to explore how narratives of sexual danger were created, reproduced, reinterpreted and contested.⁴⁵

Linda Mahood's monograph *The Magdalenes* also tries to balance the problems of agency with the realities of economic hardship.⁴⁶ However, whereas Walkowitz focuses on the discourses surrounding the Contagious Diseases Acts and the causes of prostitution, Mahood's emphasis is on the Magdalene Institutes, which were designed to rescue 'fallen women'. Her study furthers the argument that these predominantly middle-class evangelical voluntary organisations attempted to reform

⁴² Frances Finnegan, *Poverty and Prostitution: A study of Victorian Prostitutes in York* (Cambridge: Cambridge University Press, 1979), p. 17 and 32.

⁴³ Ibid, p. 17. For more on the Association of Moral and Social Hygiene see, for example, Julia Ann Laite, 'The Association for Moral and Social Hygiene, Abolitionism, and Prostitution Law in Britain, 1915-1959', *Women's History Review*, 17, 2 (2008) pp. 207-23.

⁴⁴ Walkowitz, *Prostitution and Victorian Society*, p. 4.

⁴⁵ Judith Walkowitz, *City of Dreadful Delight: Narratives of Sexual Danger in Late-Victorian London* (London: Virago, 1992).

⁴⁶ Mahood, *The Magdalenes*.

and control working-class women's sexuality, gender and occupational roles so that they would more closely emulate middle-class ideas of respectability, chastity and domesticity.⁴⁷ Paula Bartley also examines the prevention and reform of prostitutes in a similar period (1860-1914) in England, and, like Mahood and Walkowitz, she also focuses on class and gender, but places a stronger emphasis on the role of religion in the reform movement.⁴⁸ Bartley particularly examines how the responsibility for prostitution changed from being seen as due to individual women's inadequacies to a notion of prostitutes as the victims of male lust and social inequality. Bartley argues that this change was reflected in the reformers' methods, with their initial attempts to reform prostitutes developing into a wider project to prevent prostitution altogether.

Although Mahood has studied Scotland during the nineteenth century, there has been little research undertaken on prostitution and reform institutions in twentieth-century Scotland. One important exception is the work of Vivienne Cree, who has tracked shifts in the remit of the National Vigilance Association in Scotland across the twentieth century as it reconfigured (and renamed) itself to become primarily an adoption society.⁴⁹ However, there has yet to be any detailed analysis of how different voluntary reform institutes and organisations worked together with practical policing to influence the day-to-day experience of prostitution. This thesis will therefore use the records of voluntary organisations, such as the Glasgow and Edinburgh Magdalene Asylums and the National Vigilance Association of Scotland (Eastern Division), along with the records of the police and the newly formed probation service, to explore how they worked together to control and reform women. This new 'penal-welfare' approach, as described by David Garland, was part of a wider movement aimed at controlling anti-social behaviour, and (in this instance) preventing women from engaging in prostitution by providing them with

⁴⁷ For further discussion of the concept of separate spheres see, for example, Amanda Vickery, 'Golden Age to Separate Spheres? A Review of the Categories and Chronology of English Women's History', *The Historical Journal*, 36, 2 (1993) pp. 383-414; Leonore Davidoff and Catherine Hall, *Family Fortunes: Men and Women of the English Middle Class, 1780-1850* (London: Hutchinson, 1987).

⁴⁸ Bartley, *Prostitution, Prevention and Reform*.

⁴⁹ Cree, *From Public Streets to Private Lives*.

welfare in return for adherence to middle-class standards of appropriate sexual and feminine behaviour.⁵⁰

The majority of the research on prostitution during the first half of the twentieth century has tended to focus on the First World War. For example, Angela Woollacott has analysed the phenomenon known as 'Khaki Fever' – a condition believed by contemporaries to have been brought on by the excitement of war, which encouraged young women to engage in 'amateur prostitution' with soldiers.⁵¹ Woollacott suggests that in addition to the medical fears associated with the spread of venereal disease, it was the disturbance of normality and the resulting loss of social control during the First World War which increased concern about young women's social and sexual behaviour.⁵² This, in turn, sparked a need for control, which resulted in the creation of the Women Patrols and Women Police.⁵³ These patrols attempted to discourage young women from any promiscuous activity by patrolling the streets in the hope that their presence would discourage immorality. Philippa Levine and Lucy Bland both agree that the 'widespread perceptions of the need for control of female sexuality' meant that the patrols' 'attempts to protect women and girls ... tended to slip into surveillance'.⁵⁴ The main targets for this surveillance were working-class women who were described as blatant, assertive and aggressive, and were therefore seen as subverting the gender and moral order. However, the women patrols were generally less concerned with 'hardened prostitutes'; therefore, focusing on these patrols is less useful when analysing the effects of war on prostitution in general.

Nonetheless, in March 1918, Regulation 40D of the Defence of the Realm Act (DORA) made it an offence for any woman with venereal disease to either have

⁵⁰ See, David Garland, *Punishment and Welfare* (Aldershot: Gower, 1985).

⁵¹ Angela Woollacott, "'Khaki Fever' and its Control: Gender, Class, Age and Sexual Morality on the British Home Front in the First World War", *Journal of Contemporary History*, 29 (1994) pp. 325-347.

⁵² *Ibid.*, p. 325.

⁵³ For a further discussion of the Women Police and Patrols see Philippa Levine, 'Walking the Streets in a Way no Decent Woman Should', *Journal of Modern History*, 66 (1994) pp. 34-78; Louise Jackson, *Women Police: Gender, Welfare and Surveillance in the Twentieth Century* (Manchester: Manchester University Press, 2006).

⁵⁴ Levine 'Walking the streets in a way no decent woman should', p. 36; Lucy Bland, 'In the Name of Protection: The Policing of Women in the First World War', in *Women in Law: Explorations in Law, Family and Sexuality* (eds), Julia Brophy and Carol Smart (London: Routledge and Kegan Paul, 1985), p. 23.

sex with, or to solicit, a member of the armed forces.⁵⁵ This Act therefore also affected 'professional prostitutes', and consequently the impact of temporary wartime legislation must also be taken into account. Steve Humphries has argued that the loosening of heterosexual morality after the war caused considerable tensions between the dominant morality (which prohibited premarital intercourse) and the younger generation's increasing sexualisation.⁵⁶ However, although the First World War was clearly influential in shaping temporary legislation and attitudes towards class, gender and sexuality, it is important not to let this emphasis on the First World War and the Women Patrols overshadow the regulation of prostitution during peacetime – a period which of course spans many more years than just 1914-1918. By examining the period before, during and after the First World War, this thesis will question what impact the war actually had on the regulation of all types of prostitution throughout the early twentieth century, not just that of those thought to be 'amateurs'. This thesis will end in 1939, before the start of the Second World War. This is partly because research on the post-war period already exists,⁵⁷ and a study of the impact of the Second World War could merit its own separate project, but also because the seventy year records closure policy means that some of the court records for this later period are not yet available.

Research on purity movements and venereal disease provides an important context for prostitution regulation. For example, Lucy Bland focuses on both class and gender in her analysis of voluntary organisations such as the National Vigilance Association (NVA), arguing that these middle-class organisations targeted prostitution because of its association with working-class disorder in the city.⁵⁸ Bland argues that although many reformers were religiously motivated, their actions encouraged and increased state intervention and control over individual personal lives. This is supported by Stefan Petrow's argument that, by the 1870s, it was seen as increasingly legitimate for the state to intervene in citizens' private lives, especially during times of crisis (such as war) when people became more concerned

⁵⁵ The Defence of the Realm Act 1914 (4&5 Geo. 5 c. 29).

⁵⁶ Steven Humphries, *A Secret World of Sex: Forbidden Fruit: The British Experience 1900-1950* (London: Sidgwick and Jackson, 1988).

⁵⁷ See Davidson and Davis, 'A festering Sore on the Body of Society'.

⁵⁸ Lucy Bland, *Banishing the Beast* (London: Penguin Books, 1995).

with collective moral welfare.⁵⁹ Moreover, Pamela Cox argues that the 'independent modern girl' was particularly targeted for state intervention because of her role as future mother of the next generation.⁶⁰

Bland argues that the Edwardian period witnessed the beginning of what is seen as the 'sexualising' of women – a movement away from viewing women as 'ideally innocent and asexual' towards women being seen as capable of sexual response, albeit passive.⁶¹ However, problems arose when this sexuality was not passive, and the most visible expression of this was prostitution. In order to distance this 'active' sexuality from respectable femininity, women were labelled and divided according to whether they were 'virtuous' or 'immoral', with little middle ground in-between. Helen Self has shown the many ways in which the continual comparison between the normal and abnormal women – normal being the chaste wife, mother or daughter, and abnormal being the promiscuous independent young woman – continued to influence law and policy makers in the second half of the twentieth century and led to sustained prejudice towards women involved in prostitution who were 'stigmatized for behaviour that was lawful if conducted by others'.⁶²

The importance of this separation between respectable chaste women and the 'prostitute' can also be seen in the discourses surrounding venereal disease. Mary Spongberg argues that the 'pathologisation of the prostitute' meant that she was not only seen as the source of immorality; she was also the source of disease.⁶³ Her body was the site of sexualized femininity, something which was seen as abnormal, and therefore it was easier to link her with disease. According to Spongberg, by the 1920s it was impossible to consider the prostitute in any way a normal woman.⁶⁴ Roger Davidson's study of venereal disease in Scotland suggests that medical discourses were given considerable authority in defining the prostitute, but similarly

⁵⁹ Petrow, *Policing Morals*.

⁶⁰ Pamela Cox, *Gender, Justice and Welfare, Bad Girls in Britain, 1900 – 1950* (Basingstoke: Palgrave Macmillan, 2003), p. 14.

⁶¹ 'Guardians of the Race' or "Vampires on the Nation's Health"? in (eds), Arnot *et al The Changing Experience of Women* (Oxford: Robertson, 1982).

⁶² Helen Self, *Prostitution, Women and Misuse of the Law: The Fallen Daughters of Eve* (London: Frank Cass, 2003), p. 2.

⁶³ Mary Spongberg, *Feminizing Venereal Disease: The Body of the Prostitute in Nineteenth-Century Medical Discourse* (London: Macmillan, 1997).

⁶⁴ *Ibid*, p. 8.

emphasises how medical knowledge remained greatly influenced by cultural assumptions about social and moral codes.⁶⁵

Space and geography are essential for understanding how the nature of prostitution changed throughout the period. Henri Lefebvre explains that space is socially and culturally produced according to complex power relations.⁶⁶ Thus, people in positions of authority can decide how to organise space so that it corresponds with and supports dominant social systems. Michel de Certeau argues that a process of ordering in everyday city life makes and reinforces distinctions between normal and deviant, moral and immoral spaces.⁶⁷ Therefore, when these theories are applied to prostitution, it is possible to see how the physical representation of prostitutes on the margin of society is crucial for defining moral heterosexuality, because it signifies that illicit sex is not the normal or good thing to do, therefore reinforcing the dominant western ideal that sexuality should only be expressed within marriage.⁶⁸ Symanski's study of prostitution in the west establishes that there is indeed a correlation between sex work and landscapes of economic and social marginalisation.⁶⁹ The location of prostitution is therefore an outcome of where public opinion, financial interest and those who enforce the law have pushed prostitution or allowed it to remain. Phil Hubbard and Teela Sanders expanded this theory by exploring the relationship between the 'everyday' spatial behaviour of sex workers and the spatial strategies enacted by the state, law, and community protest groups.⁷⁰

This thesis will critically apply some of these social theories developed by more contemporary studies of prostitution to establish whether these frameworks can be translated into an earlier period. Were different geographic areas associated with different types of prostitution, and is it possible to map the early twentieth-century city according to locations of street and indoor prostitution, 'high class' and 'lower class' prostitution? Was space used as a form of social control, separating the

⁶⁵ Roger Davidson, *Dangerous Liaisons: A Social History of Venereal Disease in Twentieth-Century Scotland* (Amsterdam: Rodopi, 2000).

⁶⁶ Henri Lefebvre, *The Production of Space* (Oxford: Basil Blackwell, 1991).

⁶⁷ Michel de Certeau, *The Practice of Everyday Life* (London: California University Press, 1984).

⁶⁸ P. Hubbard and T. Sanders, 'Making Space for Sex Work: Female Street Prostitution and the Production of Urban Space', *International Journal of Urban and Regional Research*, 27, 1 (2003) pp. 75-89.

⁶⁹ Richard Symanski, *The Immoral Landscape* (Toronto: Butterworths, 1981).

⁷⁰ P. Hubbard and T. Sanders, 'Making Space for Sex Work', pp. 75-89.

undesirable women from respectable women so that they could easily be subjected to surveillance and control from a suitable distance? In other words, was prostitution physically and mentally confined to the margins of society during the early twentieth century, and to what extent did the women themselves understand, internalise or resist this association with the immoral landscape?

Philip Howell's study of two English cities (Liverpool and Cambridge) and several British colonies (including Malta, Gibraltar and Corfu) during the nineteenth century shows that the 'particularities of place' were fundamental for shaping the regulation of prostitution.⁷¹ Howell argues that in Liverpool and Cambridge prostitution was policed by separating it into specific locations away from respectable society.⁷² However, this thesis will argue that this was not the case in Scotland during the early twentieth century. Instead, the thesis will show how in both Edinburgh and Glasgow prostitution occurred throughout the city and in particular around the central business and entertainment districts, including those areas usually reserved for the middle classes. Prostitution, therefore, was not successfully pushed into the outskirts, either geographically or socially, and the women frequently crossed between both working-class and middle-class districts of the city. I will argue, therefore, that although middle-class discourses about prostitution may have portrayed prostitutes as outcasts, and many 'respectable' members of society may have wanted this separation to be reflected in the physical and social landscape, in reality many of the women involved in prostitution found ways of subverting these assumed boundaries.

Roger Davidson and Gayle Davis's analysis of the Wolfenden Committee and the 1959 Street Offences Act demonstrates the way in which police policy shaped the location of prostitution in mid-twentieth-century Edinburgh.⁷³ Whilst there were high numbers of prosecutions for prostitution in the central areas, there were relatively few in the areas of Leith, thus supporting the possibility that an informal tolerance zone had developed in Leith by the late 1950s. By looking at the geography of prostitution in the period prior to this, the thesis will argue that it was not until after the Second World War that this tolerance zone was established.

⁷¹ Howell, *Geographies of Regulation*.

⁷² *Ibid.*, p. 11.

⁷³ Davidson and Davis, "A Festering Sore on the Body of Society".

Two of the most influential theorists which have shaped the historiography of prostitution, and also this thesis, are those of Joan Scott and Michel Foucault. Joan Scott's notion that gender is socially constructed and plays an important role in the distribution of power throughout all areas of society has been significant in shaping the way that gender is understood.⁷⁴ Scott argues that the importance of gender can be seen through analysing language, because language is used to establish what is meaningful; though language people understood and represented their world. For historians whose main sources are textual, this concept of gender is useful for analysing the role that gender played in the establishment of power relationships within prostitution. The notion of gender as socially and culturally constructed has been fundamental for providing a theoretical framework which historians have used to analyse the role that gender plays in prostitution, and therefore it is an important concept in this thesis as well.

Several historians have used this understanding of gender and combined it with Michel Foucault's theories of how power, surveillance and discourse operate in the modern state. For example, in *Discipline and Punish* Foucault examined how institutions, such as prisons, exercised control over the body via a strict method of surveillance of people so that they complied with the regularised settings of modern institutions.⁷⁵ Many feminists have been critical of Foucault's work because he ignores the importance of gender in his discussions of power and overlooks the ways in which the disciplining of women differs from that of men. However, historians such as Linda Mahood have begun to address this issue by focusing on the separate ways in which the female body was acted upon and how femininity was constructed in these institutions. Instead of focusing on men in prisons, Mahood examines the ways in which the Magdalene asylums incorporated and enforced the ideology of separate spheres. By making the women cook, clean, wash and generally train to be well disciplined, self-regulating domestic servants, it could be argued that these asylums created a feminine version of Foucault's 'docile bodies'.⁷⁶ This thesis will explore the ways in which this process continued well into the twentieth century.

⁷⁴ Joan Scott, *Gender and the Politics of History* (New York: Columbia University Press, 1988).

⁷⁵ Foucault, *Discipline and Punish: The Birth of the Prison*, Trans Alan Sheridan (London: Penguin, 1979).

⁷⁶ Ibid.

By also examining the role of class and religion in the Magdalene asylums, Mahood is careful to avoid the problems often associated with this gendered approach. One main criticism is that focusing too closely on gender can lead to the neglect of other important factors, such as class and race, which have equally far-reaching effects on power relations. Whilst gender is important, the development of the notion of the feminine body is not a separate historical process, and when the many factors which combine together to influence identity and power relations are considered, the difference between the categories of man and woman may become less significant.

Whilst Foucault argues that power is diffused, heterogeneous and productive, many historians have criticised his historical analysis because he does not appear to depict power in this way.⁷⁷ For example, in *Discipline and Punish*, power tends to be depicted as a monolithic negative force, with too much emphasis on the role of centralised institutions, as opposed to the role of the subjects. Therefore, in this thesis I hope to tackle these issues by examining the other ways in which power was exercised and subverted, for example through the legal definition of women as 'common prostitutes', or the spatial organisation which divided the city according to notions of moral landscapes. I therefore intend to examine the individual women involved in prostitution and, where possible, attempt to analyse the discourses of those who were subjected to power, and not just those who tried to control them.⁷⁸

Foucault's theory suggests that 'resistance has as many forms as there are contexts in which power is wielded'.⁷⁹ Following from this, I will examine the ways in which women resisted surveillance, both literally, through their methods of evading detection, using different aliases, or by developing ever more clandestine forms of indoor prostitution, and also psychologically, by rejecting the labels that were imposed on them. It has been argued that this focus on resistance and agency can detract from the socio-economic inequalities and difficulties the women faced and lead to romanticization of their lives.⁸⁰ However, this thesis aims to look at both of these perspectives to explore the many ways in which women negotiated the

⁷⁷ Lois McNay, *Foucault and Feminism: Power, Gender and the Self* (Cambridge: Polity Press, 1992).

⁷⁸ Anthony Giddens, David Held, Don Hubert, Debbie Seymour, John Thompson (eds), *The Polity Reader in Social Theory* (Cambridge: Polity Press, 1995), p. 184.

⁷⁹ Ibid, p. 185.

⁸⁰ Hershtatter, *Dangerous Pleasures*.

hazards and complexities of prostitution in Edinburgh and Glasgow during the early twentieth century.

Sources and Methods

The thesis focuses on Edinburgh and Glasgow because a large majority of all prostitution-related offences in Scotland occurred in these two large urban centres. However, the nature of the different sources available in Edinburgh and Glasgow means that a 'like with like' comparison is not possible. Although comparisons will be made between the two cities, this is not a strictly comparative thesis. Instead, Edinburgh and Glasgow are used as case studies to further our understanding of urban prostitution in Scotland's two largest cities.

This thesis utilises a wide range of sources and methodological approaches. Among the most important primary sources are the records of the Edinburgh Burgh Court – the local police court in which cases against women found importuning for the purposes of prostitution were heard. These records provide very detailed information about the activities of women who were soliciting on the street, such as the exact location and time of where and when the women were found soliciting. They also record police officers' perceptions of the women's behaviour and 'character' and include information about the women's addresses and previous convictions. The sentence given is also recorded, and in some instances a detailed probation report is included. This source therefore enables us to explore how women were treated by the police, magistrates and probation service, and also informs us about their solicitation patterns and provides biographical information.

The Burgh Court records are not catalogued or digitised; therefore to manually record every offence for the whole period would have been overly time-consuming. It was instead decided to sample one year in every ten so that change over time could be measured. I chose to use the census years of 1901, 1911, 1921 and 1931 – partly so that the sample would match the census and make cross-referencing easier, but also because these years did not fall within the period of the First World War, the inclusion of which might have skewed the findings because this period was obviously unrepresentative. The uniqueness of the war period will instead be analysed using other qualitative sources. The 1901 Burgh Court records were

missing, so I substituted those for the closest surviving year, which was 1903. To further reduce this sample to a more manageable size, I decided only to use the months of January, April, July and December. These months are spread across the year, and therefore seasonal changes can still be detected. The data was then entered into a computer database (Access).

The Edinburgh Burgh Court records provide the main source for calculating the location of prostitution offences in Edinburgh. Each record contains information about the individual and the offence – including the street names of where the women were found soliciting. By collecting the offence address for each case of importuning, it is then possible to assign the location of offences to particular districts. For the purposes of this study the city has been divided into eight main geographical districts: West New Town, Central New Town, East New Town, Abbey Hill, Old Town, Southside, Toll Cross and Haymarket. It is not possible to use Parishes or electoral constituencies to divide the city because the latter is too small and the former too large. Instead I have divided the city in a way which makes the process of change over time most visible. Ascribing streets to districts is only intended as a device to help the reader visualise how the location of prostitution has changed, and is therefore meant to be indicative of general patterns.

Probation reports are also included within the Edinburgh Burgh Court records. These reports began to appear in 1913; therefore all of the probation reports from 1913 until 1939 have been examined. The reports are often very detailed and provide a wealth of information about how the probation service operated, who worked as probation officers, where women were sent and what rules the probationers had to follow. Occasionally correspondences between probation officers, the probationer, probationers' families and the magistrates were also included. These files offer a rare glimpse of the day-to-day workings of the service, but also reflect some of the experiences and opinions of the women placed on probation.

Unfortunately, the Glasgow Burgh Court records have not survived, so it has not been possible to undertake a 'like with like' comparison. Instead, this thesis uses a wide range of different sources, depending on what is available in each city. In Glasgow, the Glasgow Duke Street Prison records have been used to construct a

database (Excel) which records information about the women who were sent to this prison to serve sentences for importuning or brothel-keeping. This sample includes the details of over 1,000 women. Similarly to the methods used to compile the Edinburgh Burgh Court records database, the months of January, April, July and December from the years 1903, 1911, 1921 and 1931 were also sampled. However, because the number of women sent to prison had considerably declined by 1921, the data from the full year for 1921 and 1931 has been collected so that the overall number of cases analysed for each year would be more equal.

These prison records include detailed information about the women, such as their age, home address, occupation, nationality, place of birth, religion, number of previous convictions and details of their current sentence. This information can therefore be used to provide a general social profile of the women who were arrested for prostitution offences. The information can also be broken down to focus on the importance of more specific factors, such as age, occupation or nationality. However, unlike in the Edinburgh Burgh Court records, the locations of the solicitation offences are not recorded. Nonetheless, other sources, such as the records of the police and voluntary organisation or the records of Sheriff and High Court (where brothel or immoral traffic cases were often heard), provide useful information about the location of prostitution in Glasgow.

Another important source is the Glasgow the poor law records, which include detailed applications made by women who wanted poor law support from Glasgow parishes. The poor law records are an invaluable source because they provide detailed information about the women, often over an extended period. For example, they provide details of their family backgrounds, including their place of birth, information about their parents, whether they had children, their 'character', religion, education, state of health, and economic circumstances. Moreover, many files include an extensive description of each time they applied for assistance, which is accompanied by an explanation of their current circumstances. From these entries it is possible to determine the many ways in which their life cycles developed and the different factors that may have facilitated their move into and out of prostitution.

To build a more detailed picture of women's life cycles I have cross-referenced a selection of different sources. For example, using the database compiled

from the Duke Street Prison records, I selected a random sample of one hundred women who had been convicted for soliciting offences and searched for their names in the poor law records. By assuring that their personal details, such as their age, birth place, and – where possible – address or married name, all matched the prison register information, it was possible to confirm that they were the same person. The amount of information available for each woman in the poor law records varies significantly. In some cases, it is possible to outline large sections of their life stories, whereas for others only one instance in that person's life is available for analysis. For example, the extensive poor law, prison and police records available for Mary Muirhead have been used to provide a detailed case study of her life, which is then used to highlight some of the key themes which characterised women's lives more generally. I have primarily focused on a selection of women who had the most extensive records, but examples from a much larger sample of over one hundred women will also be utilised in order to elaborate on key themes. Whilst it is only possible to gain fragments of the women's experiences from these records, by bringing together such a range of sources it is possible to build a clearer picture of individuals' lives and to develop our understanding of wider patterns and themes that influenced the lives of the people involved in prostitution.

The poor law records for Edinburgh were destroyed and therefore it is not possible to use the same approach for Edinburgh. However, the Criminal Conviction Registers offer a similar insight, albeit one which is more heavily focused on the women's criminal histories. These registers were compiled by the Edinburgh police during the nineteenth and early twentieth century to keep a record of the different crimes committed by repeat offenders. Whilst these records give useful information about women's involvement in other types of offences, they also provide more personal details, such as their marital status or whether they had children. Therefore, they are used to provide more detailed information about the lives of women involved in prostitution in Edinburgh.

The main limitation of the poor law records, prison register and criminal conviction registers is that they only provide information about the women who were in need of poor law assistance or had been convicted of a crime. This means that the experiences of this particular group of women are perhaps over-represented –

potentially resulting in too much emphasis being placed on the role that poverty, repeated convictions and other hardships played in the lives of the women who were involved in prostitution. However, other sources, such as the probation reports, newspaper reports, brothel cases or the Immoral Traffic Act cases (which were held in the Sheriff or High Court and therefore often included precognitions) provide a more varied range of experiences. These, too, provide accounts of hardship, abuse and exploitation; however, they also demonstrate the many ways in which the women negotiated these difficulties and found different ways of coping.

The police records for Edinburgh and Glasgow have both survived, and these records have been used to explore the nature of policing in both cities. These records include the general order books, which set out rules, procedures and objectives, as well as the annual reports and criminal returns, which provide overviews of each year's activities, including statistics on prostitution-related offences and policies. The witness reports given by police officers for the Burgh Court hearings also provide detailed descriptions of the surveillance and arrest procedures. Furthermore, they provide indicators of every-day interactions between the police and the women involved in prostitution, including insights into individual and collective police attitudes towards prostitution. Memoirs of more senior police officers also give an interesting insight into the attitudes of the men in charge of determining day-to-day policing strategies. However, police memoirs form a particular genre of literature that follows its own stylistic traditions, and they are not always factually accurate. Nevertheless, when combined with other sources, such as evidence given by these officers to government inquiries, the insights these sources provide help us understand the motivations of the men who designed and implemented prostitution-related policies.

The records of several voluntary organisations, such as the Glasgow and Edinburgh Magdalene Asylums, the National Vigilance Association of Scotland (East Division), the Women Patrols and the Edinburgh Women's Citizen Association have been used to examine the role of voluntary organisation in the regulation of prostitution. These records often reveal more about the methods and attitudes of the various organisations, rather than about the experiences of the women who were being 'reformed'. For example, the annual reports and committee minutes of these

organisations were constructed according to what they thought their intended audience wanted to hear. Therefore, the annual reports are likely to give a 'rose-tinted' version of events, and the minutes of the committees reflect the experiences and opinions of committee members rather than those of the 'inmates'. Nevertheless, these records provide important information about how these organisations operated and the ways in which their aims and ideologies influenced the reform process and the lives of the women who were subjected to these reform initiatives.

Finally, chapter six is predominantly centred on a case study built around the 1933 trial against Asher Barnard, who was accused of living off the immoral earnings of women who worked as dance partners at the Kosmo Club. The main sources used are the court records which include detailed precognitions and minutes taken during the trial. Additionally, a full trial transcript was taken at the request of William Merrilees, the police sergeant in charge of investigating the Kosmo Club. As with all court testimony, the witness statements must be treated with care, as they are 'staged performances', and therefore the context of the court setting must be taken into consideration.⁸¹ For example, the witnesses may have lied, exaggerated, or not told the whole truth because they were fearful of prosecution or wanted to protect their reputations. In the case of women who testified against their former bosses, they may have been fearful of the consequences of doing so. Newspaper reports are also used, both to provide more details about the trial, and to analyse the reaction of the public towards this new form of clandestine prostitution. The court case was held as a closed trial, but newspaper journalists were allowed in, and because of perjury laws it is reasonable to assume that a majority of the information is accurate. However, the reports are used tentatively, with the understanding that the accounts were often influenced by editors' tendencies to emphasise the more sensationalist material and to follow long-standing narratives that shaped the way in which prostitution stories were reported.⁸²

⁸¹ See, Shani D'Cruze, *Crimes of Outrage, Sex Violence and Victorian Women* (London: UCL Press, 1998).

⁸² See, Adrian Bingham, *Family Newspapers? Sex, Private Life and the British Popular Press, 1918-1978* (Oxford: Oxford University Press, 2009).

Chapter Outline

Chapter two will explore the geography of prostitution in Edinburgh and Glasgow, in terms of both its physical spread across each city and its locations within indoor and outdoor spaces. By mapping the location of offences, it is possible to further our understanding of how geographic and socio-economic factors combined together with policing to shape the nature of prostitution in Edinburgh and Glasgow. In this respect, it will be possible to trace how the uses of space changed over time and according to the specific dynamics of each city. Important factors, such as the development of entertainment and business districts, the location of transport hubs, and the introduction and proliferation of new communication and transport technologies will all be examined to determine how they influenced the location of prostitution. By investigating the variety of indoor and outdoor spaces that were used for prostitution, it will be possible to learn more about the different methods that were used to sell sex and how this affected where they were located and how they operated.

Chapter three will examine the ways in which the police and magistrates interpreted legislation designed to repress prostitution and how this was translated into practical everyday policing. How, in other words, did the attitudes and experiences of the police and magistrates influence methods of surveillance, arrests and prosecutions? By analysing a fifty-year period, it will be possible to detect any significant changes and shifts in patterns of arrests and prosecutions and to trace what impact these had on prostitution and those involved in it. David Barrie's study of the police and civic traditions within Scotland has shown how different practical methods of policing developed throughout Scotland.⁸³ Barrie argues that, although 'Scottish burghs were more likely to look to their neighbour for inspiration than to England', there were considerable differences between local policing according to the particular socio-economic environments and the prominent role that local elites played.⁸⁴ In addition to this, Barbara Littlewood and Linda Mahood argue that Scotland had a 'preference for local and voluntary initiatives and often resisted London's centralised control', something which had its roots in the strong religious

⁸³ David Barrie, *Police in the Age of Improvement*.

⁸⁴ *Ibid.*, p. 263.

and community-based philanthropic networks.⁸⁵ This study will therefore explore the extent to which these factors influenced the regulation of prostitution in Scotland.

Scotland has a long-established tradition of voluntary, philanthropic and Kirk-led organisations enjoying a strong influence within communities; therefore chapter four will examine the informal role these voluntary organisations played in the regulation of prostitution. Their efforts to care for and to reform ‘fallen women’ arguably developed into a system of regulation which attempted to control these women and to mould them according to their own middle-class standards of morality and respectable femininity.⁸⁶ Therefore, examining voluntary organisation and reform homes, such as the Magdalene Asylums and the National Vigilance Association of Scotland, will help further our understanding of how discourses surrounding prostitution both reflected, and were affected by, contemporary notions of gender, race, class, and sexuality.

Moreover, chapter four will also examine how the introduction of the probation service in 1907 affected the policing of prostitution. The probation service was heavily influenced by the voluntary organisations, and consequently the latter’s Christian-based domestic spheres ideology became intertwined with the new probation service.⁸⁷ As women arrested for soliciting were increasingly placed on probation rather than given prison sentences, these organisations’ evangelical domestic spheres ideology increasingly influenced the official approach towards policing and controlling women involved in prostitution.

Fundamental to this thesis are the experiences of the women who engaged in prostitution and the ways in which they negotiated the pressures placed on them by those who attempted to exploit, reform, regulate and control them. Where possible, chapter five will build a clearer picture of who these women were, and present evidence which will begin to explain how these individuals experienced and understood prostitution in their own words. Moreover, the multifaceted relationship

⁸⁵ Linda Mahood and Barbara Littlewood, ‘Prostitutes, Magdalenes and Wayward Girls: Dangerous Sexualities of Working Class Women in Victorian Scotland’, *Gender and History*, 3, 2 (1991) pp. 160-175, p. 161.

⁸⁶ See, for example, Amanda Anderson, *Tainted Souls and Painted Faces: The Rhetoric of Fallenness in Victorian Culture* (London: Cornell University Press, 1993).

⁸⁷ See, for example, Maurice Vanstone, *Supervising Offenders in the Community: A History of Probation Theory and Practice* (Aldershot: Ashgate, 2004).

between different individuals within the sex industry, especially those between 'prostitutes', 'pimps' and 'brothel-keepers', will be evaluated to explore the complexities and nuances of those relationships. Whilst it is acknowledged that only fragments of these women's experiences can be obtained, the chapter will use a wide range of sources to try and piece together as many different fragments of their experiences as possible. Although the chapter demonstrates the numerous ways in which socio-economic and gender inequality, lack of resources and opportunities meant that these women often faced exploitation and abuse, it also aims to illustrate the many ways in which these women demonstrated their agency under difficult circumstances.

Chapter six will expand on these themes by focusing in more depth on one case study, centred around the Kosmo Club court case in 1933. This trial was against Asher Barnard, the owner of the Kosmo dance club, who was accused of running a clandestine prostitution operation, where women dance partners were hired for the evening and taken to off-site locations for sex. The trial provides in-depth details about new methods of clandestine prostitution, and how technology such as the telephone and motor car were utilised to make this method possible. Furthermore, the trial provides new insights into experiences of those women who worked as dance partners, including both the dangers and exploitation they faced, but also the benefits they gained from working in a more clandestine and higher paid environment than many women who worked on the street or in low class brothels. The chapter also examines the role that men played in prostitution, both as pimps and managers, but also as customers. Finally, the last chapter will bring all of the different chapters and themes together to conclude the thesis.

Chapter Two: The Geography of Prostitution in Edinburgh and Glasgow

The prostitutes ... live as members of the proletariat, in the poorer districts, but their main beat is Princes Street, and it has in their eyes the prestige and familiarity of a business address.¹

Edwin Muir's 1935 description of prostitutes in Edinburgh moving freely between the working-class areas of the city and those reserved for the middle and upper classes highlights their rare ability to transgress class and gender boundaries. By focusing on the geography of prostitution, this chapter will argue that 'prostitutes' in Edinburgh and Glasgow were not forced into the outskirts of society, but remained in the very heart of the city centre throughout the early twentieth century. The chapter will demonstrate how during the first half of the twentieth century the location of prostitution moved from the poor working-class districts in the Old Town to the central business and entertainment districts of the New Town – because these busy areas provided the best 'accessibility and opportunity' for the women who relied on visibility for their solicitation to be successful. This process began in the mid-nineteenth century, but gained considerable momentum during and after the First World War, so that by the 1920s and 1930s the majority of prostitution offences occurred in the New Town. The chapter will examine the reasons behind these changes, and suggest that the location of prostitution in Edinburgh was determined not only by policing strategies, but by commercial and technological factors that were equally, if not more, important.

Focusing on the 'geography of prostitution' will not only involve analysing how the location of prostitution changed within the city, but also examining the relationships between different types of spaces, such as the different indoor and outdoor spaces used for prostitution. For this reason different types of prostitution are divided into separate sections within the chapter. The first section will examine outdoor street prostitution; the second will look at the different types of indoor prostitution which occurred in brothels, and finally, the third section will explore the more clandestine types of prostitution. In order to establish how these different systems functioned, each of the sections will explore the particular methods used by

¹ Edwin Muir, *Scottish Journey* (London, 1935), p. 12.

those involved. The distinction between the three different types of prostitution is somewhat fluid, and as will subsequently be argued, they often overlapped and interacted with one another. Therefore, it is only for the purpose of clarity that they are separated within the chapter. Finally, it is intended that this chapter will act as a background chapter to provide context for further discussions about the nature of prostitution in Edinburgh and Glasgow during the early twentieth century.

Selling Sex on the Streets of Edinburgh

The development of the New Town at the end of the eighteenth and beginning of the nineteenth century meant that Edinburgh's wealthy elite moved from the overcrowded tenements of the Old Town to the wide streets and attractive town houses of the New Town.² Initially this meant that poorer inhabitants remained in the Old Town, and so too did prostitution. However, by the 1840s particular areas of the New Town had already started to become less elite, as lower-middle-class and then working-class families started to move into areas in the East End, such as St. James square and Greenside Place.³ In 1841 Dr William Tait described how most prostitution occurred in the Old Town on streets such as Black Friar's Wynd, the Grassmarket and the High Street.⁴ However, areas in the East End such as James Square are also mentioned, albeit to a lesser extent. The 1841 census also indicates that there were brothels on Greenside Place in the East End, again suggesting that prostitution was beginning to occur in the 'less respectable' East End areas of the New Town.⁵

By the early twentieth century this trend northwards was more firmly established. Figure 2.1 shows that several streets in the Central, East and West End of the New Town, such as George Street, Broughton Street and Charlotte Square, had a notable number of prostitution offences. However, as is evident in figure 2.2 and 2.3, the High Street in the centre of the Old Town still had one of the highest

² Susan Varga, *Edinburgh New Town* (Stroud: Tempus, 2007).

³ Ibid.

⁴ William Tait, *Magdalenism. An Inquiry into the Extent, Causes and Consequences of Prostitution in Edinburgh* (Edinburgh, 1840).

⁵ *Leith Walk and Greenside, A social History*, Leith Walk Research Group (University of Edinburgh, 1978 – 1979), p. 16.

numbers of importuning offences and it is clear that the Old Town remained a popular location for street prostitution.⁶

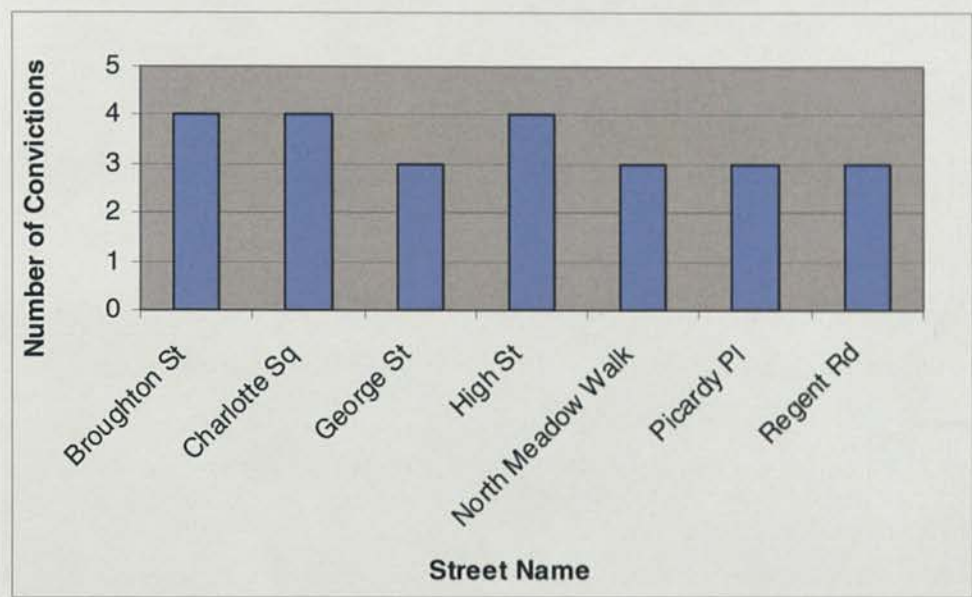


Figure 2.1: Importuning Convictions, Edinburgh Streets, 1903. Source: Edinburgh Burgh Court Records, Jan – Oct 1903.⁷

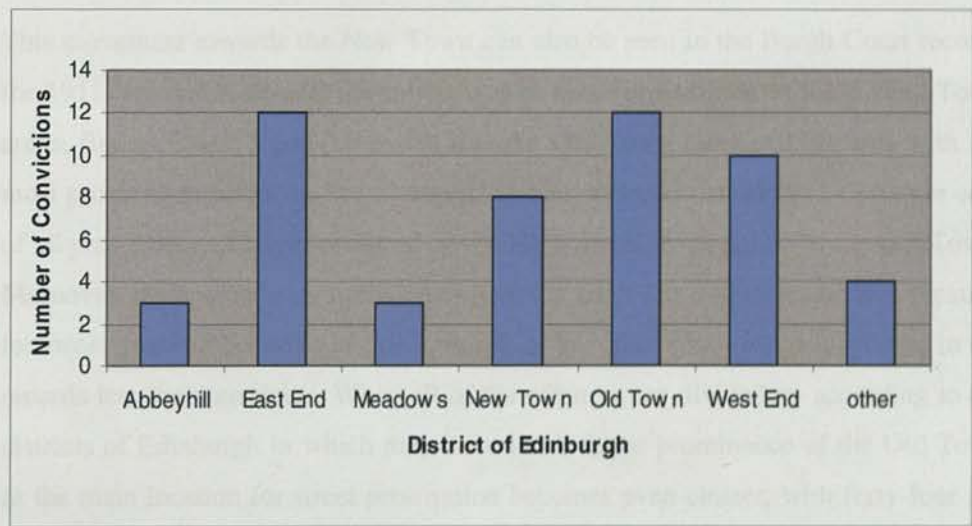


Figure 2.2: Importuning Convictions, Edinburgh Districts, 1903. Source: Edinburgh Burgh Court Records, Jan – Oct 1903.

⁶ Edinburgh City Archives (hereafter ECA), Edinburgh Burgh Court Records (hereafter EBCR).

⁷ All graphs relating to importuning offences in Edinburgh are compiled from the Edinburgh Burgh Court Records, held at Edinburgh City Archives. Figures 2.1, 2.2, 2.4, 2.5, 2.7, 2.8, 2.10, 2.11 only include regions which had three or more convictions for importuning. Those with less than three are included in the ‘other’ section.



Figure 2.3: Location of Importuning Convictions on Edinburgh Map. Source: Edinburgh Burgh Court Records, January - October 1903. <http://geo.nls.uk/urbhist>

This movement towards the New Town can also be seen in the Burgh Court records for 1911. However, despite the movement of some prostitution to these New Town areas, figures 2.4, 2.5 and 2.6 reveal that the Old Town remained the area with the most prostitution offences. For example, figure 2.4 shows that in 1911 thirty per cent of all prostitution offences occurred on the High Street in the centre of the Old Town. Moreover, there were sixty occasions where the High Street was named as a location for street prostitution, whereas the majority of the other street names appeared in the records less than ten times. When all of the offences are divided up according to the districts of Edinburgh in which they were located, the prominence of the Old Town as the main location for street prostitution becomes even clearer, with forty-four per cent of all recorded convictions for importuning reported to have occurred there.

The district with the second highest amount of offences was the Central New Town, with fourteen per cent of the offences occurring there. This was mainly on streets such as Princes Street, which had the second largest number of convictions, with twenty-one offences recorded to have taken place there, followed by North Bridge with eighteen offences. The district with the third highest number of offences

was the South Side, with twelve per cent of the importuning offences occurring there. This area borders the Old Town ‘proper’ and those streets that were closest to the Old Town were also well-known locations for prostitution. Therefore, when the number of offences which occurred in the Old Town and South Side are combined, they collectively equate to fifty per cent of all the offences. The court records, therefore, show that for those women convicted for importuning in 1911 it was three times as likely that they would have been soliciting in the Old Town and South Side, rather than the New Town.

Nevertheless, the East and West End of the New Town had eleven and five per cent of the offences respectively. In addition to the fourteen per cent which occurred in the Central New Town area, this means that thirty per cent of the offences took place in the New Town – an area which previously was not commonly associated with prostitution. The remaining fourteen per cent were distributed among a wide variety of different districts, such as Abbeymount, Bruntsfield and Tollcross. The evidence, therefore, clearly suggests that in 1911 the majority of offences still occurred in the Old Town. However, the continued presence of offences in the Central, East and West End of the New Town suggests that by 1911 a considerable minority of prostitution was firmly established in the New Town.

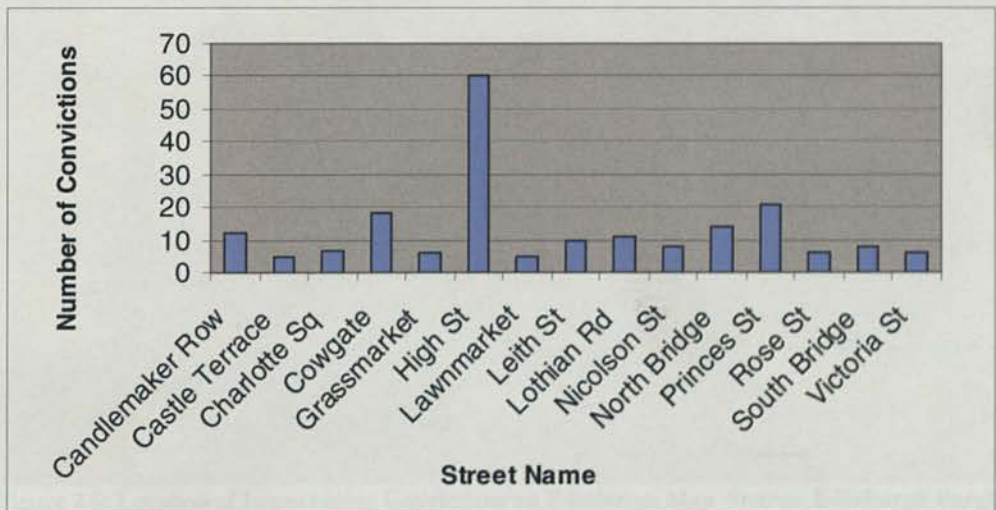


Figure 2.4: Importuning Convictions, Edinburgh Streets, 1911. Source: Edinburgh Burgh Court Records, Jan – Oct 1911.⁸

⁸ All graphs relating to importuning offences in Edinburgh are compiled from the Edinburgh Burgh Court Records, held at Edinburgh City Archives. Figures 2.1, 2.2, 2.4, 2.5, 2.7, 2.8, 2.10 and 2.11 only included districts which had three or more convictions for importuning. Those with less than that are included in the ‘other’ section.

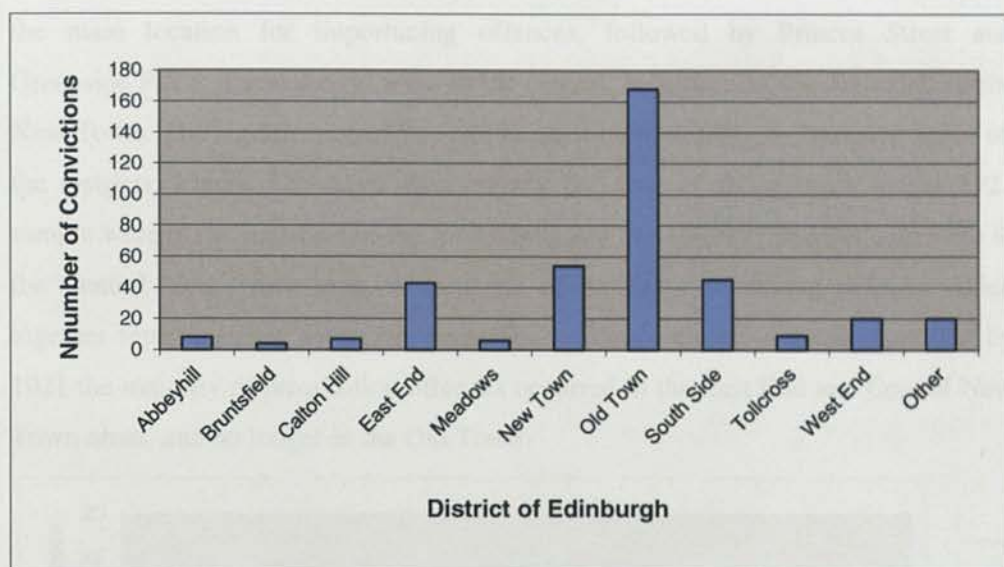


Figure 2.5: Importuning Convictions, Edinburgh Districts, 1911. Source: Edinburgh Burgh Court Records, Jan – Oct 1911.

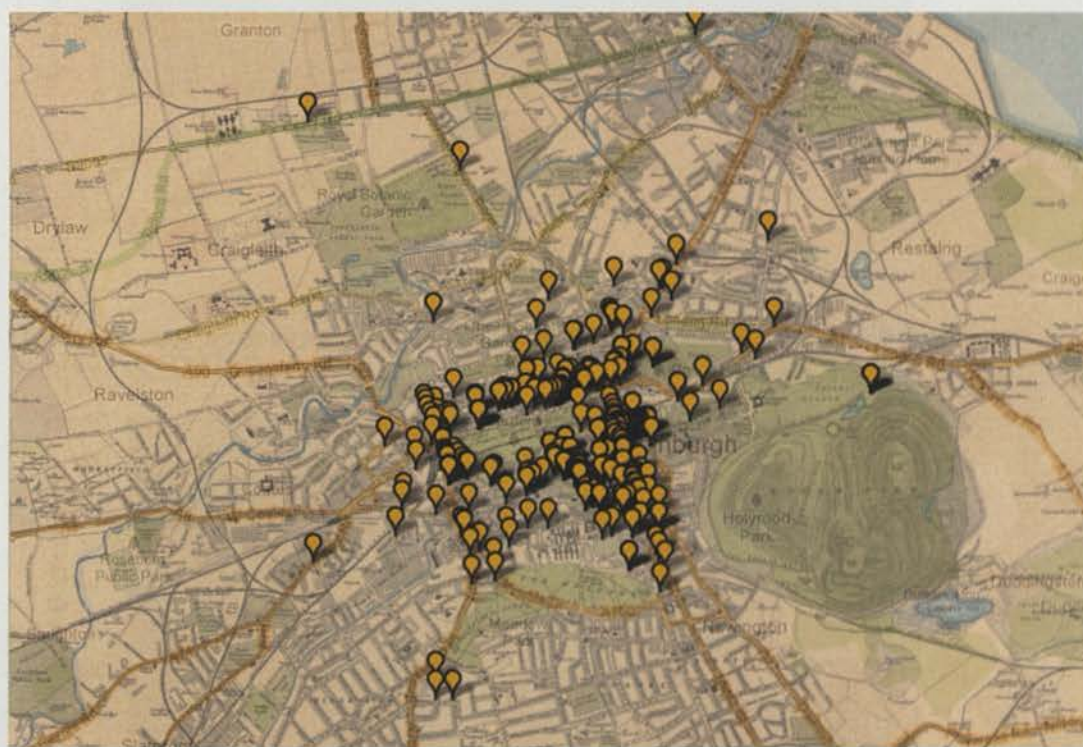


Figure 2.6: Location of Importuning Convictions on Edinburgh Map. Source: Edinburgh Burgh Court Records, January – October 1911. <http://geo.nls.uk/urbhist/>

Figures 2.7, 2.8 and 2.9 show that by 1921, there had been a significant change in the location of prostitution offences. The movement towards the New Town which was hinted at in 1911 had now fully materialised. Leith Street replaced the High Street as

the main location for importuning offences, followed by Princes Street and Greenside Place. These streets were in the central, in particular, the East End of the New Town. The significance of this can be seen more sharply by focusing again on the districts. Figure 2.8 shows that seventy per cent of all offences in the 1921 sample were in the East End of the New Town and that twenty-three per cent were in the Central New Town area, whereas all of the other remaining districts added together represent only seven per cent. This evidence clearly demonstrates that by 1921 the majority of prostitution offences occurred in the East End and Central New Town areas, and no longer in the Old Town.

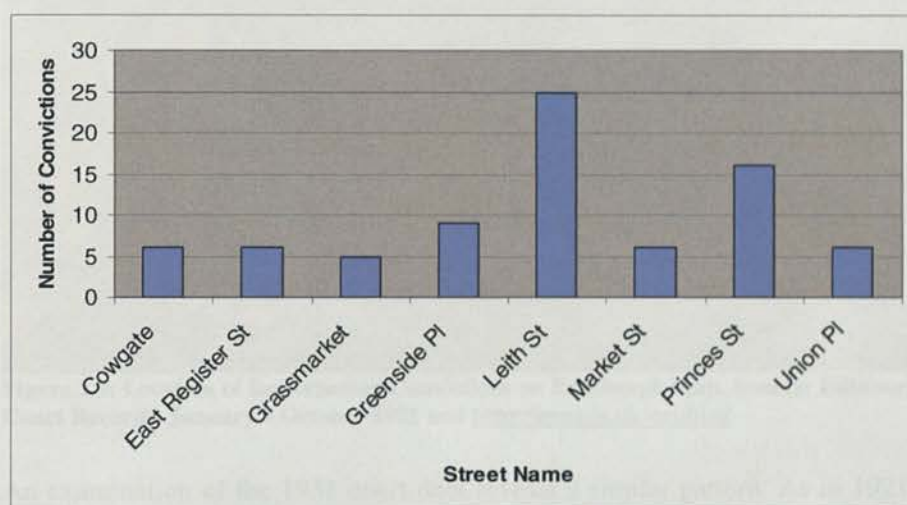


Figure 2.7: Importuning Convictions, Edinburgh Streets, 1921. Source: Edinburgh Burgh Court Records, Jan – Oct 1921.

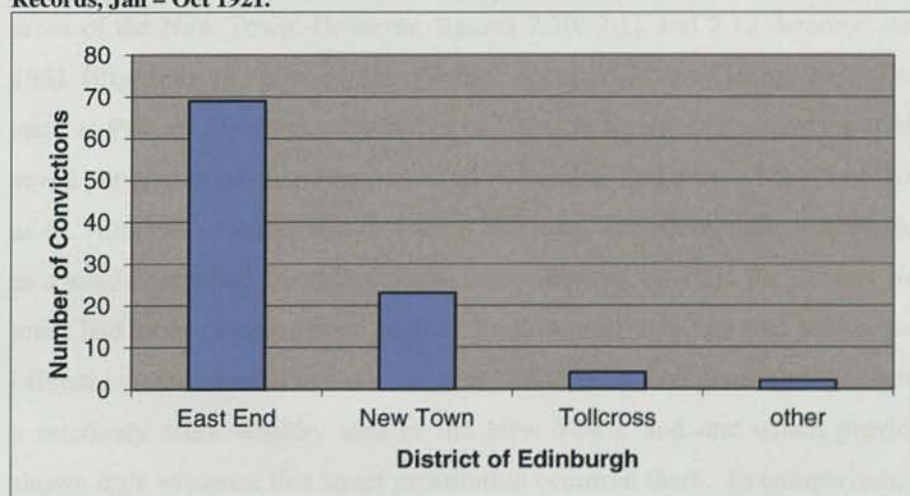


Figure 2.8: Importuning Convictions, Edinburgh Districts, 1921. Source: Edinburgh Burgh Court Records, Jan – Oct 1921.

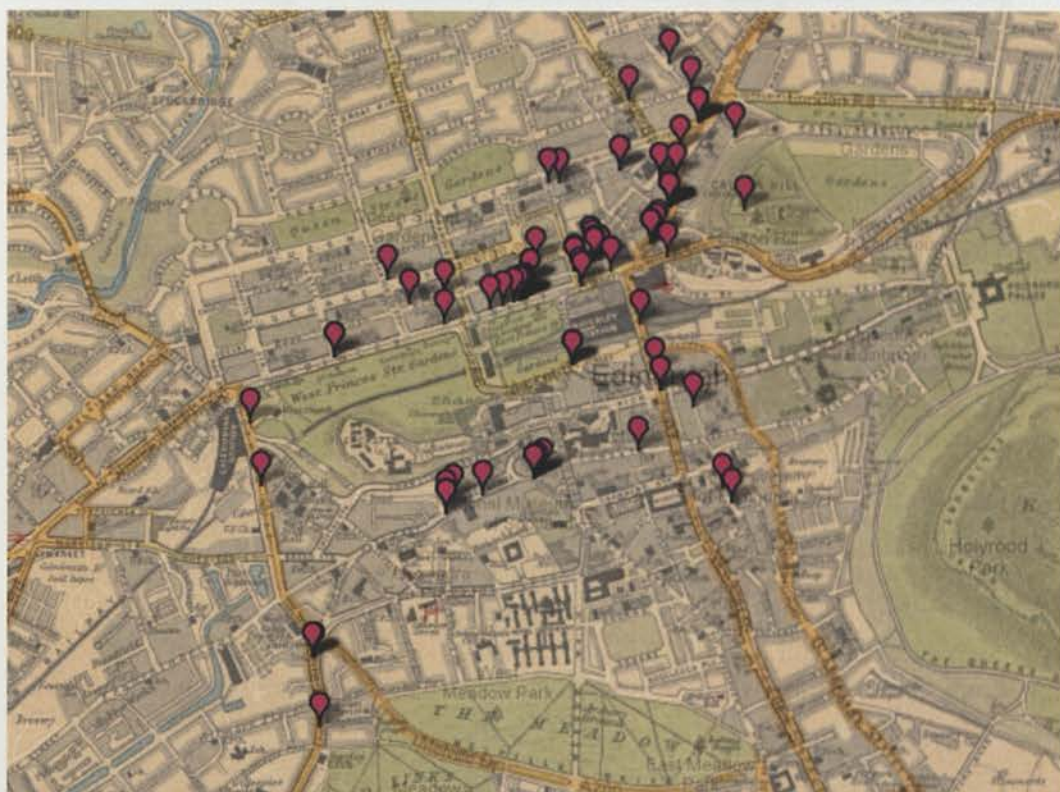


Figure 2.9: Location of Importuning Convictions on Edinburgh Map. Source: Edinburgh Burgh Court Records, January – October 1921 and <http://geo.nls.uk/urbhist/>

An examination of the 1931 court data reveals a similar pattern. As in 1921, a large majority (eighty-eight per cent) of the offences occurred in the East End and Central areas of the New Town. However, figures 2.10, 2.11 and 2.12 demonstrates that by 1931 fifty-three per cent of the offences occurred in the Central New Town areas such as Princes Street, George Street and Thistle Street, in comparison to the thirty-seven per cent of offences that occurred in the East End areas of the New Town, such as St. Andrews's Square and the Calton Hill area. Therefore, although the New Town as a whole remained the area with the most offences, by 1931 the Central New Town areas had more offences than the East End. Interestingly, another ten per cent of the offences were recorded to have occurred in the West End district of the New Town – a relatively more wealthy area of the New Town, and one which previously had shown little evidence that street prostitution occurred there. In comparison, only two per cent of offences were recorded in the Old Town. This shift in the location of offences towards the more 'respectable' wealthier areas of the Central and West End

of the New Town suggests that street prostitution during this period was moving further towards the centre of city life, both geographically and socially.

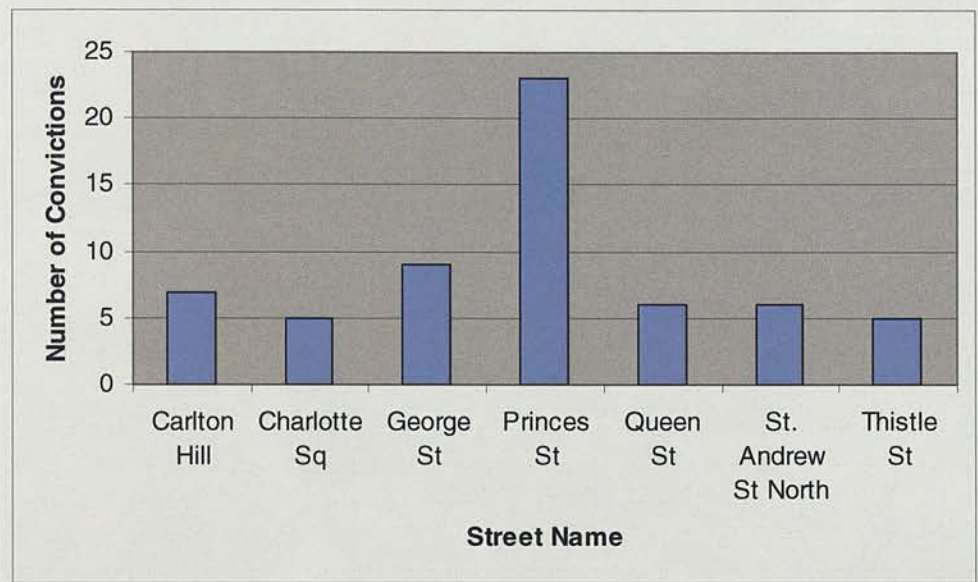


Figure 2.10: Importuning Convictions, Edinburgh Streets, 1931. Source: Edinburgh Burgh Court Records, Jan – Oct 1931.

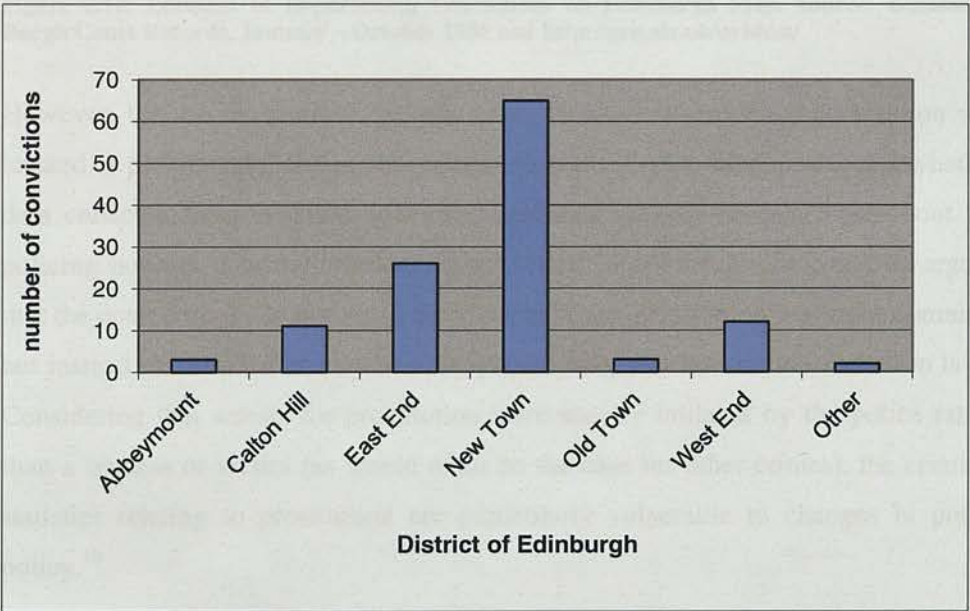


Figure 2.11: Importuning Convictions, Edinburgh Districts, 1931. Source: Edinburgh Burgh Court Records, Jan – Oct 1931.

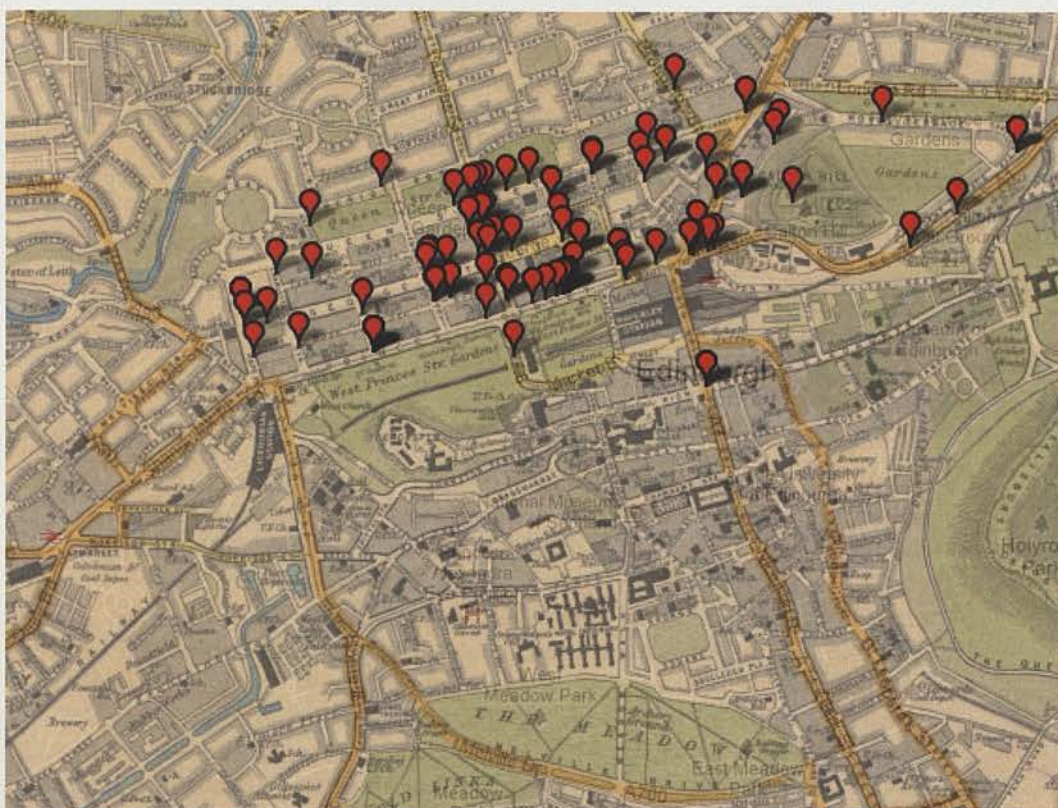


Figure 2.12: Location of Importuning Convictions on Edinburgh Map. Source: Edinburgh Burgh Court Records, January – October 1931 and <http://geo.nls.uk/urbhist/>

However, the use of criminal statistics alone to prove where street prostitution was located is problematic. Historians such as Howard Taylor have questioned whether data collected from criminal conviction statistics actually reveals more about the policing policies than the criminal activity itself.⁹ For example, it could be argued that the court records do not detail the areas in which prostitution was most common, but instead indicate the areas where the police chose to enforce the solicitation laws. Considering that arrests for prostitution were usually initiated by the police rather than a witness or victim (as would often be the case for other crimes), the criminal statistics relating to prostitution are particularly vulnerable to changes in police policy.¹⁰

⁹ Howard Taylor, 'Rationing Crime: The Political Economy of Criminal Statistics since the 1850s', *Economic History Review*, 3 (1998) pp. 569-590.

¹⁰ Carol Smart, 'Law and the Control of Women's Sexuality: The case of the 1950s', in P. Hutter and G. Williams (eds), *Controlling Women: The Normal and the Deviant* (London: Croom Helm, 1981).

Nonetheless, regardless of whether or not the statistics are high in this area because of increased surveillance, the sheer number of women witnessed soliciting in these central New Town areas confirms that a lot of solicitation did occur there. The police reports from the late 1910s, the 1920s and the 1930s routinely described how the women walked along routes which included some of the most important streets in Edinburgh, such as Princes Street, George Street and Frederick Street. The following two separate extracts from the police witness testimony represent any number of the vast amount of statements which described the very public routes the women took though the city centre;

1. At 10.40pm on date of charge, I saw the two accused accost two sailors in Princes Street. They left them and then went down Leith Street where they loitered about and accosted a civilian.¹¹

2. At 11.10pm on the date charged she came under their notice loitering in St. Andrew Square ... [she] proceeded westwards to George Street opposite number 52, there she spoke to a man who was seated in a stationary motor car for a few seconds then continued west to Frederick Street. On reaching there she loitered about for about 5 minutes or so, then proceeded southwards in Frederick Street and turned east in Princes Street.¹²

In addition to this, social workers also commented on the 'depravity' of women who 'parade Princes Street night after night, making open advances to soldiers', and coffee stalls in central locations such as the Mound were well-known as popular solicitation sites.¹³ It would appear, therefore, that any attempt to stop the majority of these women from soliciting in the respectable central areas of the city was unsuccessful. Perhaps the opportunities available in these areas were sufficiently attractive enough to risk potential arrest.

Soliciting on the busy thoroughfares of the New Town's Central and East End areas meant that the women had a much higher chance of successfully importuning. In addition, they were also close to the main railway station at Waverley. Railway stations have long been recognised as places where prostitution occurs due to the vast amount of people who pass through, especially tourists and

¹¹ ECA, EBCR, case of Gwendoline Jones or Fletcher and Agnes Pryce, 31 December 1920.

¹² ECA, EBCR, case of May Henderson or Courtney, 13 May 1937.

¹³ NRS, HH16/1 Press Reports, *The Evening Dispatches*, 23 March 1919.

businessmen – the type of people likely to engage in prostitution.¹⁴ The railway station as a site for solicitation was particularly important during the First World War because soldiers were moved across the country by train. The court records show that it was not just popular imagination or the military authorities' fear of venereal disease which linked soldiers and prostitution. In the witness testimonies, a large majority of the men whom the women solicited were described as 'soldiers', 'naval seamen', or other members of the armed forces. For example, in 1919 the police described how Mary Thomson and Mary Gibbons:

...accosted an Australian soldier who spoke to them for a minute or two then left. On leaving the soldier, they accosted two naval seamen with a similar result. They then continued westwards and at the Palace Picture House they stopped two Canadian soldiers.¹⁵

It may have been easier for the police to recognise activity considered to be 'importuning' when a woman was standing with a group of soldiers rather than talking to civilians, especially considering the emphasis which had been placed on the dangers of prostitutes spreading venereal disease to members of the armed forces.¹⁶ Nevertheless, the exceptionally large numbers of witness statements which described solicitation between prostitutes and soldiers suggests that the location of soldiers around the main station would have influenced where prostitution occurred. Therefore, the First World War clearly played a role in the movement of street prostitution from the Old to the New Town.

However, this must not be overstated. The First World War ended in 1918, yet in 1921 most prostitution continued to occur in these same Central and East End districts of the New Town. Clearly there were more long term factors which were influencing the location of prostitution. One of the most important of these was the location of entertainment and other commercial businesses. Elaine McKewon suggests that:

Prostitution finds locational stability in night-life districts ... despite its relatively high visibility, because these are areas where 'dissident'

¹⁴ G. Ashworth, P. White and H. Winchester, 'The Red-Light District in the West European City: A Neglected Aspect of the Urban Landscape', *Geoforum*, 19 (1988) pp. 201–212.

¹⁵ ECA, EBCR, case of Thomson and Mary Gibbons, 19 May 1919.

¹⁶ See, for example, Roger Davidson, *Dangerous Liaisons: A Social History of Venereal Disease in Twentieth-Century Scotland* (Amsterdam: Rodopi, 2000); Angela Woollacott, "'Khaki Fever' and its Control: Gender, Class, Age and Sexual Morality on the British Home front in the First World War", *Journal of Contemporary History*, 29 (1994) pp. 325–347.

activities are widely known to thrive ... and traditional social norms are relatively broken down.¹⁷

Edinburgh's East End had been associated with the theatre since the early nineteenth century, and by the 1920s there was a wide variety of new types of entertainment venues located in the area.¹⁸ Many of the new dance halls and cinemas which were opened during this period, such as the Playhouse on Greenside Row and Fairley's dance hall on Leith Street, were situated in this East End New Town location. The area was also well known for its pubs, fish-and-chip restaurants and ice-cream-parlours – so much so that the locals described it as the place to get 'alcohol and ice' – a description justified by the fact that in 1911 there were twenty-two pubs in the small triangle between Leith Street and York Place.¹⁹ Therefore, it is likely that this would have been a good catchment area for women to solicit the men who headed towards this area for entertainment, especially the soldiers who left Waverley train station and headed to the New Town to enjoy their leave. Additionally, if sailors who were stationed in Leith wanted to go to the city centre for entertainment, then the East End, and in particular Gayfield Square at the top of Leith Walk, provided a perfect location for importuning the sailors who passed this area on their way to and from the surrounding entertainment venues. However, this was not only the case during wartime. Throughout the whole period the witness statements routinely described how the women often solicited in front of cinemas, theatres, dance halls, restaurants and pubs. For example, one witness found in a brothel described how he had met the accused at the 'Empire Theatre and accompanied them home to spend the night.'²⁰ Another report described how the police had found the accused 'with another prostitute in the sheebeen at 3a Greenside Place known as the "dug out"... Opposite the K.B Hotel she accosted a navy petty officer, [and] entered the fish and potato restaurant.'²¹ It was not only outside these venues that the women worked.

¹⁷ Elaine McKewon, 'The Historical Geography of Prostitution in Perth, Western Australia', *Australian Geographer*, 34, 3 (2003) pp. 297-310, p. 298.

¹⁸ *Leith Walk and Greenside, a Social History*, Leith Walk Research Group, p. 21.

¹⁹ *Ibid*, p. 22.

²⁰ ECA, EBCR, case of Elizabeth Houghton or Pretsell, 15 October 1919.

²¹ ECA, EBCR, case of Marjory Milner, 4 February 1921.

‘Chuckers-out’ were often employed in cinemas to make sure that prostitution did not occur inside, and the rooms were never fully dark for the same reason.²²

Not only did this East End area offer a high concentration of potential clients, it was also close to low-rent indoor premises where the sex act could take place. By the late nineteenth century several buildings located in the East of the New Town on streets such as Leith Street, Greenside Place, and St. James Square had been ‘made down’. This effectively meant that the large attractive buildings originally designed for middle-class inhabitants had been converted into small tenement flats which housed working-class families, often in overcrowded conditions. This is especially true of the East End areas surrounding St. James Square and Gayfield Square, which had become notorious for their slum-like residences.²³ One of the main methods used by women once they had solicited a man on the street was to take him back to either a privately rented flat, a ‘short time flat’ (rented only for the necessary period for the transaction to take place) or a brothel of varying descriptions. For example, in a case in 1928 a witness in a brothel case described how ‘they had been accosted by the prostitutes Miller and Ryan, on the street, and after having a few drinks in a public house they had been taken back by them to the house for immoral purposes’.²⁴ Several witness testimonies described how the men were solicited on the street and then taken back to a flat; for example, one man stated that ‘he had been accosted on the street by one or other of the two women and taken to the house for an immoral purpose’.²⁵ Another man found in a brothel at 5 Prospect Terrace explained that he had ‘met the accused and her sister in one of the main thoroughfares’.²⁶ This method therefore meant that it was necessary for women to live in, or have access to, accommodation around the city centre areas in which they solicited – something which the East End could provide.

The home addresses recorded in the Burgh Court records show that the women increasingly lived in these central areas close to where most soliciting offences occurred. Figures 2.13 and 2.14 show that in 1903 and 1911 most of the women lived

²² Brendon Thomas, *The Last Picture Shows, Edinburgh: Ninety Years of Cinema Entertainment in Scotland's Capital City* (Edinburgh: Moorfoot, 1894).

²³ Leith Walk Research Group, *Leith Walk and Greenside, A Social History*.

²⁴ ECA, EBCR, case of George Ritchie, 15 February 1928.

²⁵ ECA, EBCR, case of Jane Swanson, 1 December 1919.

²⁶ ECA, EBCR, case of Mary Watt, 8 March 1917.

in the Old Town and Southside districts. These areas were considerably cheaper, yet close to the streets on which they solicited. However, Figures 2.15 and 2.16 show that by 1921 and 1931 more women also lived in the East End of the New Town as it became increasingly possible and desirable to work from flats closer to the more profitable areas in the New Town.

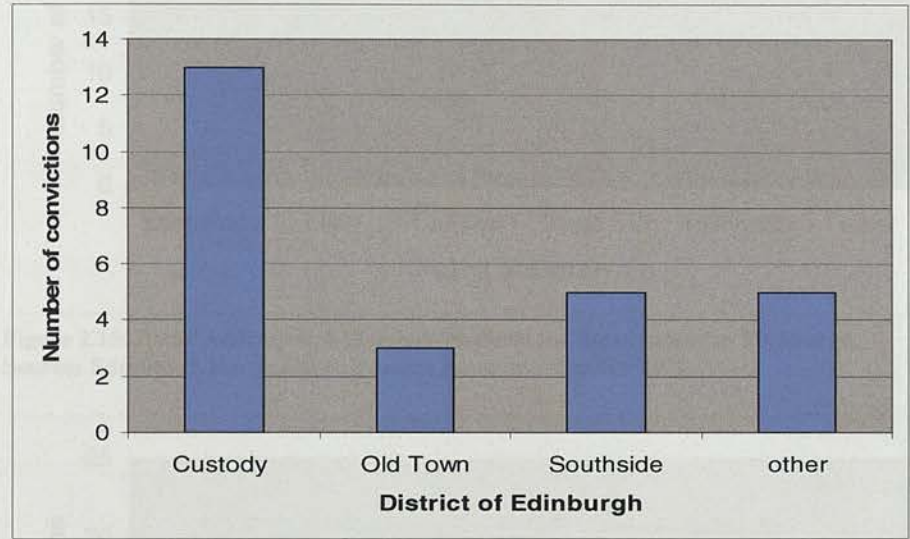


Figure 2.13: Home Addresses of Women Convicted for Importuning in Edinburgh. Source: Edinburgh Burgh Court Records, January – October 1903.²⁷

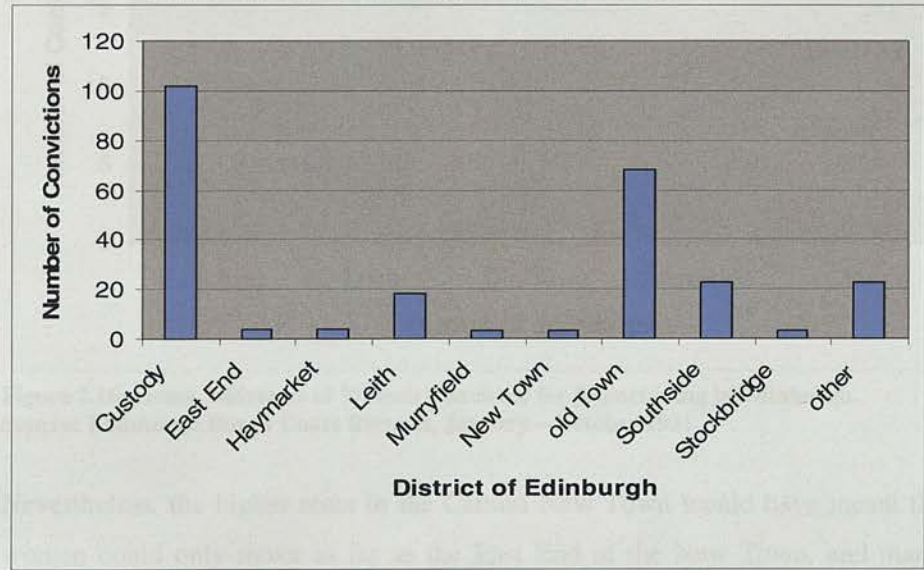


Figure 2.14: Home Addresses of Women Convicted for Importuning in Edinburgh. Source: Edinburgh Burgh Court Records, January – October 1911.

²⁷ Before 1921 the police used the category ‘in custody’ for those women who were currently in custody and had not given another address. However, by 1921 this practice had changed so that they recorded the woman’s last known address and the category of ‘in custody’ was removed.

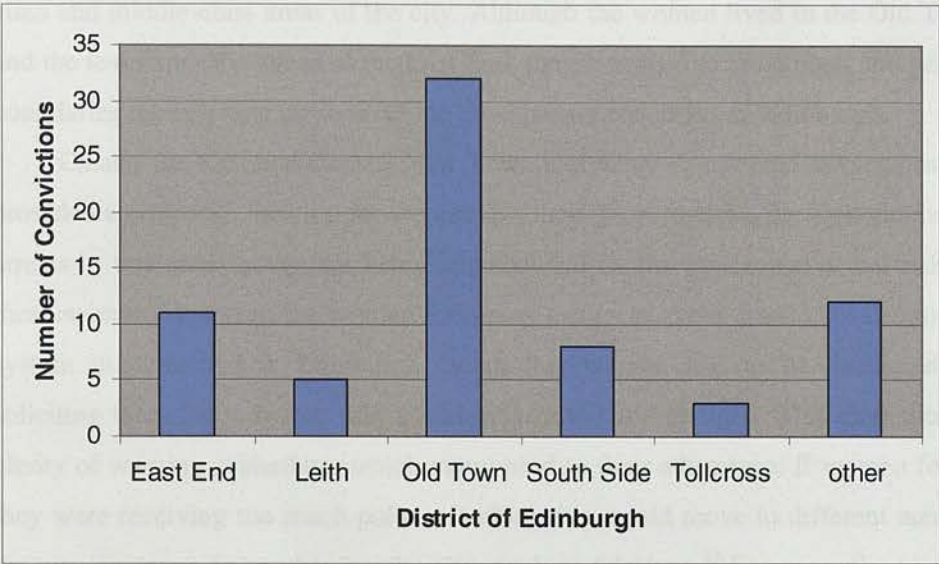


Figure 2.15: Home Addresses of Women Convicted for Importuning in Edinburgh.
Source: Edinburgh Burgh Court Records January – October 1921.

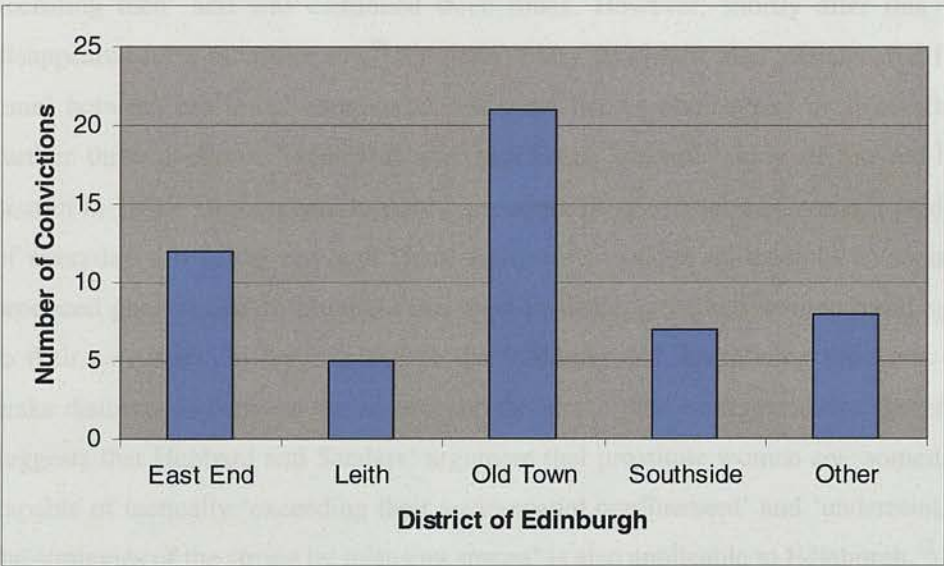


Figure 2.16: Home Addresses of Women Convicted for Importuning in Edinburgh.
Source: Edinburgh Burgh Court Records, January – October 1931.

Nevertheless, the higher rents in the Central New Town would have meant that the women could only move as far as the East End of the New Town, and many still remained in the cheaper areas in the Old Town and the Southside through choice or necessity. Therefore, it appears that Muir was accurate in his depiction of the prostitutes in Edinburgh being able to cross the ‘invisible barrier’ between working-

class and middle-class areas of the city. Although the women lived in the Old Town and the less expensive areas of the East End, they managed to cross class and gender boundaries by soliciting on some of the most prominent streets in Edinburgh.

Clearly the East and Central New Town had many operational advantages and provided a profitable location for women to solicit. Nevertheless, the high number of arrests in this area shows that being apprehended by the police was a real risk for these women. However, the women had many tactics to avoid arrest. The cautioning system implemented in Edinburgh meant that women had to be cautioned for soliciting three times before they could be arrested and charged. This gave women plenty of warning, something which many used to their advantage. If women feared they were receiving too much police attention they could move to different areas in the city, or move to another nearby city, such as Glasgow.²⁸ For example, in 1919 twenty-two-year-old Sarah Montgomery was seen 'frequently on the streets accosting men' and was cautioned three times. However, shortly after this 'she disappeared for a month or so'.²⁹ Similarly, Mary Bradshaw also 'disappeared for a time' between her initial cautions in 1923 and her eventual arrest in 1925 after a further three cautions.³⁰ Phil Hubbard and Teela Sanders' study of the red-light district in 1990s Birmingham has used key ideas from Michel de Certeau's analysis of everyday life in the city and Henri Lefebvre's notions of space as a 'socially-produced phenomena' to highlight the ways in which prostitute women 'used space to their own ends' in order to escape the 'ordering and disciplining processes that make distinctions between the normal and deviant'.³¹ The evidence above, therefore, suggests that Hubbard and Sanders' argument that prostitute women are sometimes capable of tactically 'exceeding their socio-spatial confinement' and 'undermin[ing] the strategies of the strong by misusing spaces' is also applicable to Edinburgh.³²

Building on Henri Lefebvre's and Rob Shields' concept of 'social spatialization', Angie Hart has examined how the El Barrio district in Spain during

²⁸ See, for example, Jennifer James, 'Mobility as an Adaptive Strategy', *Urban Anthropology*, 4 (1975) pp. 349-64.

²⁹ ECA, EBCR, case of Sarah Montgomery, 24 June 1919.

³⁰ ECA, EBCR, case of Mary Bradshaw, 28 November 1925.

³¹ Phil Hubbard and Teela Sanders, 'Making Space for Sex Work: Female Street Prostitution and the Production of Space', *International Journal of Urban and Regional Research*, 27,1 (2003) pp. 75-89; Henri Lefebvre, *The Production of Space* (Oxford: Basil Blackwell, 1991); Michel de Certeau, *The Practices of Everyday Life* (London: California University Press, 1984).

³² Hubbard and Sanders, 'Making Space for Sex Work', p. 83.

the early 1990s acted as a location where vice could be tolerated and was located both physically and metaphorically on the peripheries of society.³³ Hart argues that, whereas the male customers moved relatively freely between this vice district and 'mainstream' culture, the prostitute women were less able to do so because of their 'marginal' status. Philip Howell and Stefhán Slater argue that a similar type of containment was attempted in English cities in the nineteenth and early twentieth centuries.³⁴ However, as demonstrated above, in Edinburgh during the early twentieth century there was no single vice district located on the peripheries of society. Instead, prostitute women moved between districts and prostitution co-existed amongst a variety of businesses and entertainment venues in the heart of the city centre. Therefore, if 'people's identities are in part constructed through the spatial locations they inhabit and frequent', then the location of prostitution in the city centre would have had an important influence on the women who worked there.³⁵

This pattern of women living in the East End and Old Town, but crossing over into the more respectable areas to solicit is quite different from the conclusion that Howell has made about prostitution in Liverpool and Cambridge during the nineteenth century, where prostitution was policed by separating it into specific locations away from respectable society.³⁶ The evidence for Edinburgh, however, suggests that although street prostitution may have occurred in some of the less respectable areas, the women were not restricted to these areas, and by the 1920s and 1930s street prostitution often occurred on the most visible and prominent streets in Edinburgh. Any attempt to banish prostitution to the unseen outskirts of the city had clearly not been successful. Howell places considerable importance on what he described as the 'particularities of place', and Edinburgh provides a perfect example of how the different methods used to police prostitution, and the subsequent

³³ Angie Hart, 'Constructing a Spanish Red-Light District: Prostitution, Space and Power' in David Bell and Gill Valentine (eds), *Mapping Desire* (London: Routledge, 1995) pp. 195-207; Lefebvre, *The Production of Space*; Rob Shields, *Places on the Margin: Alternative Geographies of Modernity* (London: Routledge, 1991).

³⁴ Philip Howell, *Geographies of Regulation: Policing Prostitution in Nineteenth-Century Britain and the Empire* (Cambridge: Cambridge University Press, 2009); Stefan Slater, 'Containment: Managing Street Prostitution in London, 1918-1959', *Journal of British Studies* 49, 2, (2010) pp. 323- 357.

³⁵ Hart, 'Constructing a Spanish Red-Light District', p. 215.

³⁶ Howell, *Geographies of Regulation*, p. 11.

influence this had on the location of prostitution, was dependent upon the particular circumstances in each city.

In addition to place, it is also important to remember that developments in the regulation of prostitution occurred at different periods according to the chronology of change in each city. For example, Neil Larry Shumsky and Larry M. Springer demonstrate that in San Francisco during the period from 1880 to 1934 the location of prostitution altered depending on particular economic developments within the city, changing attitudes towards prostitution, and how the police responded to those pressures.³⁷ Although many of the factors involved, such as disputes over land use, can be seen as more general issues associated with prostitution, the way in which these factors interacted at different points in time uniquely shaped the nature of prostitution in each city. Therefore, whilst Howell's argument that prostitution was regulated by forcing women into the outskirts of the city did not apply to Edinburgh in the early twentieth century, it is possible that this type of regulation occurred later in the century. For example, Roger Davidson and Gayle Davis' examination of prostitution in mid-twentieth-century Scotland has shown that this type of 'informal regulation' did occur in Leith after the Second World War.³⁸ The informal tolerance of prostitution in Leith meant that women were free to work there without the fear of persecution from the police which they faced in the city centre. However, there is little evidence to indicate that such a policy existed before the Second World War.

Leith was officially a separate town until 1920, when it was incorporated into the city of Edinburgh. This meant that before 1920 Leith had its own separate police force and court where the women would have been heard. Without the co-operation of the Leith police force, the Edinburgh police could not have actively pursued a policy which forced prostitution into Leith. Unfortunately, the Leith Burgh Court records from this period have not survived and it is therefore difficult to know more about their policy or how many women were convicted for prostitution in Leith

³⁷ N. Shumsky and L. Springer, 'San Francisco's Zone of Prostitution, 1880-1934', *Journal of Historical Geography*, 1 (1981) pp. 71-89.

³⁸ Roger Davidson and Gayle Davis, 'A festering Sore on the Body of Society', *Journal of Scottish Historical Studies*, 24, 1 (2004) pp. 80-98, p. 88.

before 1920. Nevertheless, it is unlikely that the Leith police would have co-operated with a policy that redirected all of the prostitution in Edinburgh to Leith.

After 1920 crimes in Leith were prosecuted in the Edinburgh Burgh Court. However, very few cases relating to Leith appear in the records. From the court records alone it is difficult to know whether this meant that there was relatively little prostitution in Leith, or whether the police had developed an informal tolerance policy in this area. The police records give no indication of the existence of any such policy; however, it is possible that they would not have wanted to leave behind any related records, even if such a policy did exist.

Leith was a port town which principally developed around the harbour of Leith and the shipping business it generated. Considering that there is a long-established connection between prostitution and seafaring, it is likely that the high concentration of sailors in the port meant that prostitution did occur there. Nevertheless, the fact that so many witness statements described sailors in the city centre indicates that they were not confined to the harbour area, therefore suggesting that the street prostitution which occurred in Edinburgh was independent from that which occurred in Leith. The sheer number of offences occurring in the city centre suggests that even though the police were employing the solicitation laws in these areas, the law was not an effective enough deterrent to force the women out of the area. It appears, therefore, that the importance of working in the most advantageous catchment areas was worth risking possible arrest. Therefore, although legislation and policing policy undoubtedly had an important effect on where and how women solicited, it is clear that other factors, such as the site of entertainment and other market forces, also played an important role in the location of street prostitution. Although we cannot know from criminal statistics alone where prostitution may have occurred without interference from the police, the data we do have can certainly prove that there was a considerable amount of street prostitution happening in the centre of Edinburgh during the interwar period.

Walking the Streets: Street Solicitation Methods

The witness reports compiled by the police show that during the half hour period that they observed the women they usually accosted on average between two and six

men.³⁹ The times that they were arrested ranged from as early as 5pm until as late as 3am, with the majority between 10pm and 1am. This inevitably reflected the times that the police chose to undertake surveillance; nevertheless it is likely that they would have chosen these times because they knew that most of the soliciting would take place during that period. The time of day that the women solicited and whether it was light or dark is particularly interesting. The times of arrest suggest that the majority of the arrests took place after dark and it is likely that the women used the cover of darkness to avoid detection from the police.

The women who solicited after dark clearly broke the gender boundaries which dictated that 'respectable' women should not to be outside after dark, especially if they were unaccompanied.⁴⁰ It appears, therefore, that women who were already labelled as 'unrespectable' due to their involvement in prostitution, had more freedom than most other women to move throughout the city at any time during the night. Moreover, they could also use this period in the night to cross class boundaries by soliciting in middle and upper-class areas. For example, a newspaper report in 1903 described how prostitutes were taking advantage of the poor lighting in the West End to solicit on streets inhabited by the upper-classes.⁴¹

It could be argued that prostitutes were restricted to the darkness. However, not all of the arrests occurred during darkness. For example, there are several arrests which occurred in the early evening and others which occurred in the summer time when it remained light in Scotland until 11pm. Moreover, as the century continued, more women began to be seen out after dark enjoying the pleasures that the increasing nightlife entertainment opportunities had to offer.⁴² Although many of these women were still accompanied by men, the increased presence of young women in the city centre after dark began to make it more difficult to differentiate between women who were soliciting and women who were returning from the

³⁹ ECA, EBCR.

⁴⁰ See, for example, Judith Walkowitz, *City of Dreadful Delight: Narratives of Sexual Danger in Late-Victorian* (London: Virago, 1992).

⁴¹ *Scotsman*, 1 October 1903, p. 7.

⁴² For more information on night-life entertainment during this period see, for example, Marek Kohn, *Dope Girls: The Birth of British Drug Underground* (London: Granta, 1992); Judith Walkowitz, *Nights Out: Life in Cosmopolitan London* (London: Yale University Press, 2012); Billie Melman, *Flappers and Nymphs: Women and the Popular Imagination in the Twenties* (Basingstoke: Palgrave Macmillan, 1998).

cinema. It appears, therefore, that rather than being increasingly ostracized, women involved in prostitution were becoming less visibly segregated.⁴³

The witness reports show that the women mainly worked in pairs, and this was also reflected in the large number of double trials that were held for women arrested together. Working alongside other women had many advantages as it meant that they could look out for each other – a tactic which would help protect them from the police and the men they importuned. There are numerous examples of women soliciting together. However, a case in 1917 is particularly interesting because it emphasises how uncommon it was for women to work alone: a policeman explicitly stated that Nora Donaldson had ‘not been seen in the company of other women of loose character. She works alone’.⁴⁴

The police reports show that importuning mainly involved walking up and down particular streets, trying to attract the attention of potential customers, often with little success. The reports make the point that most of the men ignored the women, or ‘showed them no encouragement’.⁴⁵ This may have been because it was in the police’s interest to insinuate that it was the women who were actively importuning these men (not the other way around). However, unless we subscribe to the view that a majority of the reports were fabricated by the police in order to strengthen the case for the prosecution, then it is fair to assume that a significant proportion of the time the women spent soliciting was filled with rejection.

The amount of money the women received varied significantly according to a variety of factors, such as the type of sexual act performed, where the act took place, the man’s financial means and expectations, the age and attractiveness of the woman, the woman’s experience and the unpredictable outcome of individual negotiations. Little evidence has survived which could indicate the range and average prices of different sex acts. However, there are a small number of examples in the witness reports which provide a rough indicator of prices. For example, during a case in 1914 one man stated that he had paid 4s, and on another occasion in 1914 a different man

⁴³ For more on the changing role of women in the public sphere see, for example, Judith Walkowitz, ‘Going Public: Shopping, Street Harassment, and Streetwalking in Late Victorian London’, *Representation*, 62 (1998) pp. 1-30.

⁴⁴ ECA, EBCR, case of Alexandria Stewart or Campbell, 27 January 1917.

⁴⁵ ECA, EBCR, case of Maria Curtis and Lena Burns, 15 December 1919.

told the police that he paid 5s. By 1918 this amount had doubled to 10s.⁴⁶ A 1911 report on 'the social evil' described how one girl received amounts ranging 'from between 1s to 31s' for each act of prostitution.⁴⁷ Prices fluctuated and varied according to the individual and the sex act and who performed it, all of which must be put in perspective according to the change of monetary value over time. For example, the report also described how in 1907 a nineteen-year-old girl was given £2 for her first act of prostitution, which quickly reduced to 10s per transaction after that.⁴⁸ In another case, Jane Swanson explained how 'she never took any payment until morning, and that she left it to the men to give her what they thought she was worth.'⁴⁹ This suggests that the man had an upper hand in deciding the terms of the contract; however, none of the other reports mention anything relating to how the women set or negotiated prices, and therefore it is difficult to tell whether this was a common practice.

A majority of the testimonies end with the police interrupting and arresting the women before the sex act took place, but a few witness statements do describe what happened next. One of the main methods was for the woman to solicit a man on the street and then take him back to a house or brothel of varying descriptions. For example, a witness from a case in 1918 explained how she saw a woman 'whom I know to be a prostitute standing at the foot of Dean Street accosting men and taking them up to the house.'⁵⁰ This method therefore meant that it was necessary for women to live in, or have access to, accommodation around the city centre areas in which they solicited. As demonstrated above, the home addresses recorded in the Burgh Court records show that many of the women did live in these central areas close to where most soliciting offences occurred.

However, the witness testimonies show that not all acts of prostitution happened indoors. The parks, doorways and alleyways around the Central and East End of the New Town also offered opportunities for *al fresco* commercial sex. For

⁴⁶ ECA, EBCR, case of Margaret Robertson, 30 December 1914; ECA, EBCR, case of Margaret Campbell of Boston, 19 March 1920; ECA, EBCR, case of Jane Swanson or Coper, 1 December 1919.

⁴⁷ Glasgow City Archives (hereafter GCA), T. PAR 1.16, p. 279, *Memorandum on A Social Evil in Glasgow, and the State of the Law for Dealing with Certain forms of Immorality*, pp. 5- 6.

⁴⁸ Ibid.

⁴⁹ ECA, EBCR, case of Jane Swanson or Coper, December 1919.

⁵⁰ ECA, EBCR, case of Jane Swanson or Coper, 1 December 1919.

example, a case in 1919 described how officers had found 'the prostitute Cecelia Wood or Sneddon' and a sailor 'having carnal connection' in the public stair at '38b New Street'.⁵¹ Another case, this time in 1925, described how Mary Bradshaw (a suspected prostitute) 'entered the common stair there. About three minutes later both came out of the stair and proceeded to the top of Leith Street where the sailor left.'⁵² There were also many references made to Calton Hill and Holyrood Park as common locations for importuning and sexual intercourse. The location of two large open park spaces only a few minutes' walk from the East End of Princes Street provided a convenient location for those women without access to indoor spaces. For example, in 1921 Elizabeth Young was found 'importuning male passers-by for the purposes of prostitution on the Calton hill',⁵³ and in 1918 the police described how they saw Daisy Moor 'leave the Calton Hill with two sailors who left her in Leith Street after paying her some money.'⁵⁴

The records which describe women having sex outside are quite rare, possibly because most of the reports do not describe where the sex act took place. However, by the 1920s an increasing number of separate cases were being heard in the Burgh Court of couples having 'carnal connection' in a public place. These cases were not necessarily related to prostitution, as anyone having sexual intercourse outdoors in public was liable for prosecution. However, in certain cases it is possible to match up the names of women prosecuted for prostitution with the names of women also prosecuted for having sex outdoors in public. For example, Elizabeth Winter was caught having sex in a doorway on the 'bye lane next to George Street' in June 1935, and in June 1937 was convicted of importuning for the purposes of prostitution, also on George Street.⁵⁵ On both occasions she had previous offences for each crime.

The witness reports also show that by the late 1920s and 1930s, when it was becoming more common for men to own cars, these vehicles increasingly played a role in importuning. There were several instances where a woman either walked up to a stationary car or tried to attract the attention of men passing by in their cars. For

⁵¹ ECA, EBCR, case of May McArthur, 2 December 1919.

⁵² ECA, EBCR, case of Mary Bradshaw, 30 November 1925.

⁵³ ECA, EBCR, case of Elizabeth Winter, 29 June 1935; ECA, EBCR, case of Elizabeth Winter, 9 June 1937.

⁵⁴ ECA, EBCR, case of Elizabeth Young, 31 January 1921.

⁵⁵ ECA, EBCR, case of Daisy Moore, 27 March 1918.

⁵⁶ ECA, EBCR, case of Elizabeth Winter, 29 June 1935 and 5 January 1937.

example, in 1937 police described how a suspected prostitute called Helen Stirling attempted to 'attract the attention of passing motorists by stepping to the edge of the pavement as they passed her' and, on another occasion 'went up to a motor car which had drawn up on the south side of Princes Street, opened the door and spoke to the man who was driving it, and was in the act of entering the car when the witness approached.'⁵⁶ This type of importuning sounds very similar to what we today describe as 'kerb crawling', and it is quite possible that these cases were some of the earliest recorded examples of 'kerb crawling' in Edinburgh. The car could be used as a location for sex, or for transporting the couple to a particular indoor location. This venue could include a large range of different types of spaces, from a privately rented flat to a lodging house or brothel of varying descriptions. It is these indoor spaces that the next section of this chapter will focus on.

'Houses of Ill Repute': Indoor Prostitution

During the early twentieth century the depictions of brothels in popular media were often quite contradictory. Those concerned about the dangers of immorality and the oppression of women portrayed brothels as depraved dangerous places where women were sold into slavery and shadowy villains lurked around every corner. The discourses surrounding the 'white slave trade' panics during the late nineteenth and early twentieth century enthusiastically embraced the stereotypes of 'vicious madams' and 'predatory bullies' entrapping young women in brothels and forcing them into a life of deprivation. For example, W.T Stead's exposé of child prostitution in the series of articles published in the *Pall Mall Gazette*, entitled 'The Maiden Tribute of Modern Babylon', used the case of Eliza Armstrong to describe how poor young girls were being abducted and forced to work in foreign brothels.⁵⁷ It was later discovered that Stead had arranged the abduction and sale of Eliza into prostitution as a stunt to highlight the issue of child prostitution. However, although this particular example was fabricated, the image of the highly organised brothel, dealing in the sale of child prostitutes remained influential. Conversely, during the same period, some popular literature represented brothels as exciting, titillating places

⁵⁶ ECA, EBCR, case of Helen Stirling, 13 October 1937.

⁵⁷ William T. Stead, 'The Maiden Tribute of Modern Babylon', parts I-IV, *Pall Mall Gazette*, 6, 7, 8, 10 July 1885.

populated by beautiful young women, who under the supervision of a 'madam', waited to be chosen by the wealthy patrons who arrived at the premises. For example, Evelyn Waugh's *Brideshead Revisited* and Oscar Wilde's *The Picture of Dorian Gray* focus on the men's enjoyment of these decadent surroundings and their potential to corrupt men, rather than the oppression of women.⁵⁸

These popular representations of brothels may have had some grounding in reality, but the actual nature of brothels lay somewhere between these extremes, and incorporated a wide variety of different types of premises. The type of large well organised establishments which housed many women was more closely associated with a continental style of brothel. In countries such as France and Germany these types of brothels played an important part in the regulatory system which aimed to confine prostitution to a particular location and limit the spread of venereal disease by medically inspecting the women and providing licenses accordingly.⁵⁹ Scotland, however, never had this type of regulation, and none of these large 'continental style' brothels appear in the police or court records. In their place were a variety of different indoor premises.

In Scotland, local byelaws had been created to legislate against brothels. In Edinburgh the keeping of brothels was forbidden under section 278 of the Edinburgh Municipal and Police Act of 1879 and in Glasgow section 137 of the Glasgow Police Act 1866 criminalised anyone who owned, managed or assisted the keeping of brothels. In addition to these local byelaws, the 1885 Criminal Law Amendment Act made brothel-keeping illegal at the national level. At first the definition of a 'brothel' was left uncertain, however, the 1895 case of *Singleton V Ellison* ruled that a brothel should not be defined as 'a place where one woman received men', but instead it must be proven 'that the house was frequented and used for the purposes of prostitution by men and women other than the woman occupying the house'.⁶⁰ These loose criteria meant that small private flats or furnished rooms which housed more

⁵⁸ Evelyn Waugh's *Brideshead Revisited* (London, 1945); Oscar Wilde, *The Picture of Dorian Gray* (London, 1890).

⁵⁹ Alain Corbin, *Women for Hire: Prostitution and Sexuality in France after 1850*, trans. Alan Sheridan (London: Harvard University Press, 1990); Victoria Harris, *Selling Sex in the Reich* (Oxford: Oxford University Press, 2010).

⁶⁰ *Singleton V Ellison* (1895) 59 JP 119, cited in Laite, 'Prostitution in London', p. 69.

than one woman who was known to engage in prostitution could be legally defined as a brothel and the manager or owner prosecuted against.

The statements made by the police whilst compiling evidence against these 'brothels' provide very detailed accounts of the different types of establishments that existed. One of the most common types of premises was a flat which was used by the women once they had solicited a man on the street. Several witness testimonies describe how the men were solicited on the street and then taken back to a flat; for example, one man stated that 'he had been accosted on the street by one or other of the two women and taken to the house for an immoral purpose'.⁶¹ Another man found in a brothel at 5 Prospect Terrace explained that he had 'met the accused and her sister in one of the main thoroughfares'.⁶²

The size of these flats and the number of women who lived or worked in them varied considerably. They ranged from small one-room flats occupied by two women, to larger premises with many rooms and several women. The latter example was quite rare, and a majority of the flats had only one or two rooms, occupied by two or three women. For example, the brothel at 5 Prospect Terrace (referred to above) consisted of 'a room, kitchen, and a small bed-room, and a shake-down in the room'.⁶³ Another brothel at 40 Jamaica Street was described as a 'single apartment',⁶⁴ and another at Scott's Close was again described as consisting of only 'one apartment'.⁶⁵ Other brothels were slightly larger. For example, it was reported that four women, 'Evelyn Gibb or Pairman, Margaret Robertson, Nellie Welsh and Margaret Muir or McMillan', resided at the brothel at 47 St. Stephen Street which was 'kept and managed' by Margaret Robertson. The brothel consisted of 'three apartments, kitchen, parlour and bedroom with a bed in each room'.⁶⁶

'Madams' were often associated with brothels; however, a majority of the police reports, especially those relating to smaller flats, suggest that this 'madam' type character did not exist in many situations. The small flats were often the woman's own home, as opposed to business premises where prostitution occurred.

⁶¹ ECA, EBCR, case of Jane Swanson or Coper, 1 December 1919.

⁶² ECA, EBCR, case of Mary Watt or M' Gillivray, 8 March 1917.

⁶³ Ibid.

⁶⁴ ECA, EBCR, case of Jane Meikle or Dodds or Miller, 22 May 1925.

⁶⁵ ECA, EBCR, case of Margaret Foley or Brown, 1 December 1915.

⁶⁶ ECA, EBCR, case of Margaret Robertson, 30 December 1914.

This can be seen by the number of witness statements which described the defendant as both a prostitute and a brothel owner. For example, Margaret Coutts was described by the police as 'a convicted prostitute and brothel-keeper.'⁶⁷ In another case, May McArthur, described by the police as a 'prostitute residing at 8b New Street', was charged with 'manag[ing] the house occupied by her at the above address, as a brothel.'⁶⁸ The relationships which developed between two women in this situation may have been ones of friendship and mutual support, or alternatively more exploitative and business-orientated – but, either way, it was clearly more complicated than a madam and prostitute situation. For example, in 1928 twenty-four-year-old George Ritchie was charged with brothel-keeping in the house which used to be occupied by his mother until her recent death. The witness testimonies described how:

On the accused being asked where he had been sleeping, he stated that before opening the door he had been lying at the foot of the bed which was occupied by Kelly and Munro. The bed certainly had the appearance that he had been laying at the foot of same.⁶⁹

When George was asked about why prostitutes were in his flat, he replied that 'they came to the house, and I did not like to put them out.'⁷⁰ Again, this does not sound as if he was managing a well organised brothel or that he had any power over the women; quite the opposite. In the larger brothels there was likely to be more scope for exploitation and a power dynamic more associated with the stereotypical 'madam/pimp-prostitute' relationship. However, several witness testimonies show that even in these situations the power relationship was not straightforward. For example, the larger brothel at 47 St. Stephen Street (mentioned above) was run by the seventy-five-year-old mother of one of the women who was working in the brothel.⁷¹ The complexity of these relationships will be explored further in chapter five.

It was most frequently women who ran the brothels, but there are a few examples where they were run by men, or, more commonly, by a man and woman working together (often as husband and wife). There were even some court cases

⁶⁷ ECA, EBCR, case of Margaret Coutts or Jones and Margaret Jackson, 10 July 1919.

⁶⁸ ECA, EBCR, case of May McArthur, 2 November 1919.

⁶⁹ ECA, EBCR, case of George Ritchie, 15 February 1928.

⁷⁰ Ibid.

⁷¹ ECA, EBCR, case of Margaret Robertson, 30 December 1914.

which described whole families living together in brothels, including grandparents and children.⁷² For example, in November 1919 Patrick Stanley and Mary Buckly or Stanley were accused of conducting their house at 30a Greenside Row as a brothel, and convicted for harbouring the prostitute Lily Barr. The police described how their house consisted of:

Three apartments: one room, kitchen and bed closet off same, and with a bed in each apartment, during the said period the said Patrick Shanley and Mary Buckley or Shanley resided there with their children, Patrick Stanley aged 13, Thomas Stanley aged 10 and William Shanley aged 8 years.⁷³

The nature of the relationship between the man and woman is often unclear, and it could be argued that in some situations the man was acting as a 'pimp'. The role of these men will be examined further in chapters five and six.

Overall, the brothels described in the witness testimonies appear to be little more than private homes or lodging houses which were used for prostitution, and certainly not the large, well organised businesses like those on the continent. This is not to say that there were none of these establishments in Edinburgh; only that if there were, the police were not targeting them for prosecution. If they did exist, it is likely that they were more discrete in their operations, and therefore fell outside of police surveillance. It is also possible that these types of brothels were frequented by rich and respected citizens, meaning it would not have been in the interests of the police to interfere. Similarly, it is possible to speculate that owners of larger or more exclusive brothels had the money and influence to bribe the police if necessary. There is no direct evidence to prove that bribery occurred in the Edinburgh police force. However, there were rumours of bribery described in the autobiography of the former Chief Constable William Merrilees – a topic which will be discussed further in chapter three.⁷⁴

If the women could not afford to rent their own flats they often lived in lodging houses. Lodging houses were originally designed for poor men, women and families to use as temporary accommodation when, for whatever reason, they could not rent

⁷² ECA, EBCR, case of Patrick Stanley and Mary Buckly or Stanley, 17 November 1919.

⁷³ Ibid.

⁷⁴ William Merrilees, *The Short Arm of the Law: The Memoirs of William Merrilees* (Edinburgh, 1966).

their own private lodgings. However, many lodging houses gained a bad reputation and were associated with immoral activity, including prostitution. A significant number of the women arrested for importuning are recorded to have lived in these types of premises. It is not always possible to know which addresses were lodging houses. However, two particular properties which frequently appear in the records, one at 17 James Court and the other at 18 Blackfriars (both streets lead off from the High Street in the Old Town) were described as lodging houses. Although contemporaries certainly feared that these lodging houses were being used for prostitution, there is little other evidence to prove that this happened. However, considering that it was common for women to solicit on the street and then bring the man to their place of residence, it is highly likely that at least some prostitution did occur there. The high number of women convicted for prostitution who lived at 17 James Court suggests that the owner (a woman described by the police as being called 'Cairns') must have known about the situation. Whether she was involved in engineering a situation that enabled her to profit from their prostitution, or simply profited by turning a 'blind eye', remains uncertain. Nevertheless, whatever the individual situation in each lodging house, it is clear that, willing or not, lodging houses also played a role in facilitating prostitution in Edinburgh.

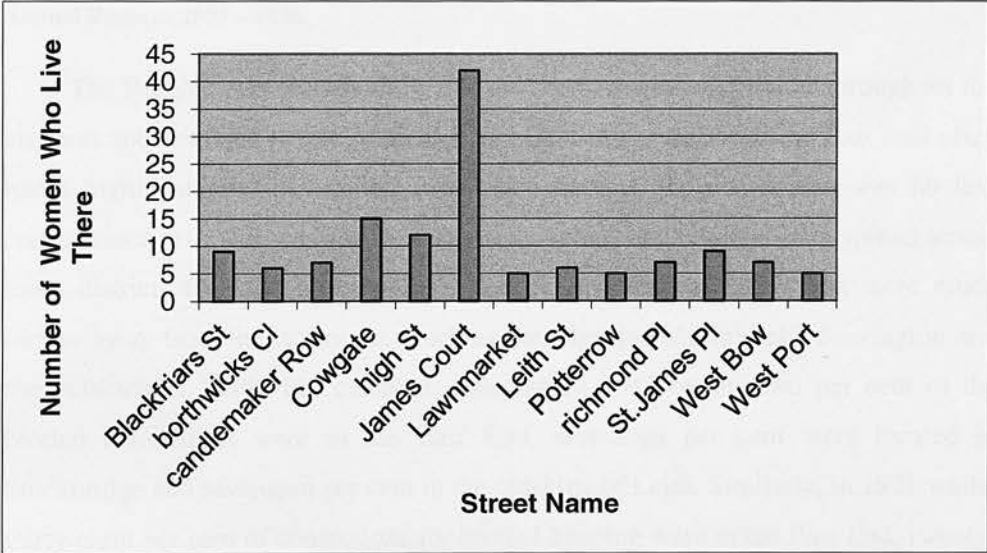


Figure 2.17: Home Addresses of Women Convicted for Importuning, Edinburgh, 1903 - 1931. Source Edinburgh Burgh Court Records, 1903 - 1931.

There were considerably fewer convictions for brothel-keeping than importuning, which makes it harder to map the location of brothels. In the sample of the Burgh Court records for 1903 and 1931, no brothel cases appeared. Considering that in 1903 there were only two convictions throughout the whole year, and in 1931 there were only six, it is likely that those cases occurred during the months which were not included in the sample. However, the data that *is* available offers some interesting trends to analyse.

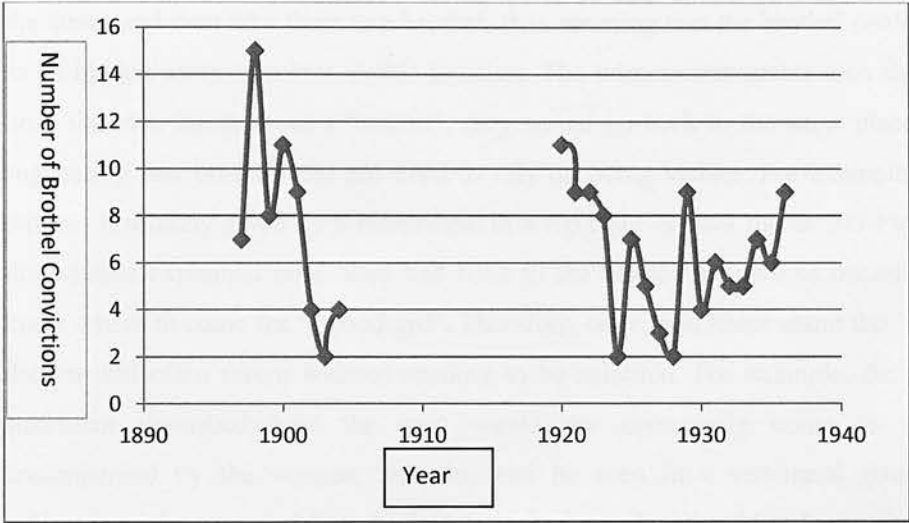


Figure 2.18: Convictions for Brothel-Keeping, Edinburgh 1897 – 1936. Source: Chief Constables Annual Reports, 1897 – 1936.

The Burgh Court records show that the brothels were distributed throughout the city and not restricted to one particular ‘red light’ area. Although the East End often had a higher number of brothels than other districts, the distribution was far less concentrated than was the case for street solicitation. The brothels were spread across more districts than the importuning offences and included areas that were much further away from the city centre, such as Stockbridge, Murrayfield, Newington and the outskirts of Leith. For example, although in 1915 twenty-two per cent of the brothel convictions were in the East End, seventeen per cent were located in Stockbridge and seventeen per cent in the outskirts of Leith. Similarly, in 1921 whilst thirty-eight per cent of convictions for brothel-keeping were in the East End, twenty-five per cent were located in Leith and twenty-five per cent in the Southside. One of the most likely causes for this was the increase in the number of car owners and users. Whereas women importuning on the street needed to be visible on the busy

thoroughfares in the city centre, brothels could be located further away because men could travel there by car. The use of cars to transport the men, alone or in the company of the women, was reported in several witness statements, demonstrating how common it was becoming. For example, one report described how a 'motor car drew up at Prospect Place and [they] observed the accused, her sister Jessie Watt... and a soldier leave the car and go into the stair.'⁷⁵

The witness statements described above show that women would solicit men on the street and then take them to a brothel, thus meaning that the brothel could afford to be hidden away in a less visible location. The witness statements also show that once the men knew about a 'brothel', they would go back to the same place, again suggesting that brothels did not need to rely on being visible. For example, in the witness testimony given by a man found in a top floor brothel flat at 205 Pleasance, the witness explained how 'they had been in the house on previous occasions and knew where to come for 'a good girl'. Therefore, once men knew about the 'brothel' they would often return without needing to be solicited. For example, the witness statement described how the men would not necessarily come to the flat accompanied by the women, and this can be seen in a statement given by a policeman who recorded how he had 'watched a colonial soldier leave and a few minutes later two soldiers went up to the house and were admitted.'⁷⁶ Considering that brothel-keeping was illegal and could warrant a much higher fine or prison sentence than importuning, it was in the interest of the owners to draw as little attention to the brothels as possible.

Even if those running the brothel were not concerned about the law, the high rents in the most central areas would have deterred many brothel owners from locating their business in the most prominent areas. This economic factor was perhaps another reason why the location of brothels did not seem to move as far into the heart of the New Town as street prostitution did. The brothels in the city centre tended to remain in the Old Town and Southside areas, with some appearing in the less expensive areas of the East End and New Town. Consequently, whilst it was free for women to solicit in the busy central New Town areas, once they had successfully importuned a man they returned to the less expensive areas to find an indoor location

⁷⁵ ECA, EBCR, case of Mary Watt or McGillivray, 8 February 1917.

⁷⁶ Ibid.

for sex. Considering that the indoor space they used for prostitution was often their own home, it makes sense that they would have been situated in less expensive areas such as the Old Town, Southside or Leith. Nevertheless, there were a few brothels in the more central New Town areas. Therefore, whilst most prosecutions for brothel-keeping were occurring in the less respectable areas around the Old Town, the location of brothels throughout the city shows that it was not 'informally tolerated' in any one particular area of Edinburgh. In this respect, Edinburgh is similar to London in that there was no one 'red-light' zone.⁷⁷

The distinction which has been made between indoor and outdoor prostitution is somewhat arbitrary, as the evidence has shown that in many cases street prostitution and brothel prostitution were closely linked. Women routinely solicited on the street and then went to an indoor location for the sex act. According to the law these indoor spaces were technically brothels if more than one prostitute resided there. However, as we have seen, these brothels varied considerably in their size and nature, and were often little more than private flats which had been adapted for the purpose of prostitution. The women who solicited on the street mainly chose to walk around busy areas in the centre of the city to increase their chances of importuning successfully. This would have also increased their chances of being arrested, but unlike brothels, the women could avoid detection by continuously moving around.⁷⁸ Subsequently, the brothels tended to be situated further away from the most prominent streets, and distributed more widely throughout the city. If brothel owners wanted to situate their business in more central locations, then they would have to become more clandestine about their operations.

Dance Clubs and Ice-Cream Tubs: Clandestine Prostitution in Edinburgh

The street and the brothel were not the only locations of prostitution. By the 1920s and 1930s there is evidence to suggest that new forms of clandestine prostitution were developing as an important site for indoor prostitution. These included ice-cream parlours, coffee shops, and most significantly, dance halls. The phenomenon of the dance hall began in the early twentieth century and became particularly

⁷⁷ Julia Laite, *Common Prostitutes and Ordinary Citizens, Commercial Sex in London 1885-1960* (Basingstoke: Palgrave Macmillan, 2012).

⁷⁸ Jennifer James, 'Mobility as an Adaptive Strategy', *Urban Anthropology*, 4 (1975) pp. 349-64.

popular during the interwar period. These venues were primarily designed for men and women to dance together and would have employed a live band which played a variety of different popular styles of music, ranging from ballroom to swing and jazz. These venues were not designed for prostitution, and most were never used for that purpose. However, some venues were adapted by the owners and individuals involved in the sex industry who saw that these places offered opportunities for new and more clandestine methods of prostitution. It is unclear when these venues started to be used to facilitate prostitution, but an important trial in 1933 when the owners and managers of the Kosmo dance club were charged under the 1903 Immoral Traffic Act for living off the earnings of prostitution suggests that by the early 1930s this method was already well established. Chapter six will further explore the importance of this trial in much more detail. However, the trial is also useful for examining the geography of prostitution and therefore this aspect of the case will be discussed here.

The witness testimony in the trial provides useful evidence concerning the location of different types of prostitution in Edinburgh. For example, the description of the women who solicited around the coffee stalls on Princes Street, Rose Street and the Mound suggests that this was a typical location for street soliciting. This supports the earlier argument that street soliciting predominantly occurred in the centre of Edinburgh, as opposed to being situated further outside of the city or in specially designated informal tolerance zones. As for the location of brothels, the evidence from the Kosmo trial again supports the argument that the locations of brothels were more dispersed around the city than the location of street prostitution. For example, the witnesses mentioned brothels at 13 Hart Street, 14 Frederick Street, 6 Claremont Street, 38 Earl Grey Street and 1 West Maitland Street. These addresses are all within a reasonably short taxi journey of the Kosmo Club (located at 20 Swinton Row in the East End) but are dispersed throughout various different areas of the city, suggesting that there was not one particular zone where brothels or immoral houses were all located. Although, like street prostitution, the brothels were mainly located in the central areas, they were generally more widely spread out throughout the centre of Edinburgh, suggesting that prostitution was not restricted to one 'tolerance' zone. Nonetheless, dance clubs such as the Kosmo Club and the Havana

Club could continue to operate in the very centre of the city, unhindered by legislation, due to the increased opportunities for mobility thanks to technological developments such as the motor car which allowed for the actual transaction to take place far away from the initial meeting point.

Dance halls were not the only locations for clandestine prostitution. There was particular concern about the dangers of coffee houses, fish-and-chip shops and ice-cream parlours during the interwar period. It was believed that the rooms above or behind these shops were used for prostitution, and that these venues particularly attracted young people who were vulnerable to the advances of the 'immoral types' who owned and frequented these places. Once seduced by these men, the women would then engage in prostitution there. These 'immoral types' were frequently described as foreigners, and the xenophobic nature of their criticism of these venues was never far from the surface.⁷⁹ There are more sources which refer to these ice-cream parlours available for Glasgow, and it is to Glasgow that we will now turn.

'From floor to ceiling - just "rookeries": Prostitution in Glasgow

There are no surviving Burgh Court records for Glasgow, which means that it is not possible to gain the level of detailed information about the location of prostitution in Glasgow as is possible for Edinburgh. It is therefore difficult to draw any 'like with like' comparisons; however, there are some sources available which can give an indication of where brothels were located. Although cases relating to the offence of importuning on the street were heard in the Burgh Courts, some brothel cases and Immoral Traffic Act cases were heard in the Sheriff and High Court, which means that a few cases relating to Glasgow have survived. For example, a case in 1919 against Alfred Joseph Vaughan for brothel-keeping provides some interesting details.⁸⁰ The brothel was located at 68 Saint George's Road in the central St. George's area of Glasgow. The house consisted of seven rooms and a kitchen, with four rooms on one floor, and three rooms in an attic above. The Rent was £48 per

⁷⁹ See, for example, Panikos Panayi, *Immigration, Ethnicity and Racism in Britain, 1815-1845* (Manchester: Manchester University Press, 1994).

⁸⁰ NRS, JC31/1919/7, Bill of suspension and liberation by Alfred Joseph Vaughn, Ivy Summerhayes or Vaughn, 68 Saint Georges Road, Glasgow, V George Smith, Interim P. F. Glasgow, 1919.

year. A woman was employed to run the brothel but Vaughan was described as the main manager. Another witness report from a case in 1912 against William Thomson for harbouring prostitutes described the brothel he managed at 6 West Russell Street as being 'one stair up, and consist[ing] of 2 rooms and kitchen.'⁸¹

Many of the brothels which appear in the Glasgow Duke Street Prison Registers are in very central areas such as the brothel ran by Margaret Brennet at 13 Cambridge Street, and the brothel at 86 Dundas Street ran by Catherine Mclean. Other very central addresses in which brothels were located include 54 Bell Street, Brown Street and 19 Wilson Street. Areas in and around the Cowcaddens are also reported to have had many brothels, for example, 163 Cowcaddens, 11 and 46 Milton Lane were all prosecuted against for being brothels. The 1911 'Memorandum on Social Evil in Glasgow' also described how there were 'numerous brothels in the northern district'.⁸² Whilst these areas are quite central, they also included districts which had developed into 'slums'. Similarly to what occurred in Edinburgh, during the nineteenth century the upper and middle classes increasingly left the central areas of the city as new housing was developed in the suburbs. As a result, the working classes moved into these former grand buildings and 'made them down' into much smaller dwellings so that they could house the rapidly increasing number of urban workers.⁸³ In particular, areas such as Calton, Cowcaddens, Bridgeton, Maryhill and the Gorbals, attracted large number of migrants which increased the overcrowding.⁸⁴ These areas became notorious for crime and it is perhaps unsurprising that prostitution occurred here. However, prostitution was not confined to these areas, and by the start of the twentieth century prostitution was commonly occurring in the central business and entertainment districts.

A dispute about public house licensing hours which was reported in the *Scotsman* in 1902 provides some of the most detailed descriptions of the location of prostitution during this early part of the twentieth century. In 1902 Glasgow council

⁸¹ NRS, JC31/1912/10, 'Judiciary appeal by John James McIntyre, P. F. Glasgow V William Thomson, 6 West Russell Street, Glasgow, 1912.

⁸² GCA, T. PAR 1.16, *Memorandum on the Social Evil in Glasgow*, 1911, p. 6.

⁸³ For first-hand descriptions of tenement life in Glasgow see, Jean Faley, *Up oor close: Memories of Domestic Life in Glasgow Tenements, 1910-1945* (Wendlebury: White Cockade, 1994).

⁸⁴ Michael Pacione, *Glasgow: the Socio-Spatial Development of the City* (Chichester: John Wiley and Sons, 1995).

wanted to shorten the licensing hours so that pubs in the Broomielaw district would shut at 10pm. The area was predominantly working class and its location directly next to the river Clyde meant that it was heavily influenced by the shipping industry and during the nineteenth century the area was known for its large number of pubs and prostitution. The *Scotsman* newspaper described the hearing and gave extracts from the witness statements given by pub owners and policemen. Alexander McIntosh, the former Superintendent of the Western District Police, explained how over the past thirty-five years the Broomielaw had greatly improved. He stated that:

Previously you would get ten or twenty loose women in the district for one now. [I] could point out tenements that had been houses of ill fame, from floor to ceiling - just "rookeries" ...now [I] could point out more prostitutes in Sauchiehall Street in one night than in the district in question in one week, or even a fortnight.⁸⁵

Peter Stewart, a private investigator, made a similar statement. He first described how he was instructed to take the detective with him and patrol the Broomielaw district between nine and twelve o'clock on the previous night. He then described how:

from nine to twelve, all the women he saw, of any description, would number about twenty. So far as he could see, only three of them were of loose character. If he had gone to Argyle Street or Bath Street or Sauchiehall Street, there would have been no comparison.⁸⁶

When asked by the advocate, Mr Wilson, whether the prostitutes could be seen 'to swarm in these places', Stewart readily agreed.

Some of these reports were given by men who were (or had been employed by someone who was) against earlier closing hours, and it was in their interest to represent the Broomielaw area in a positive light. However, although their statements cannot be taken at face value, they are still very useful. The extent to which prostitution had ceased to occur in the Broomielaw area may be unclear. However, the statement does suggest that although this area was a well-known location of prostitution during the late nineteenth century, by the beginning of the twentieth century more prostitutes were now working on Sauchiehall Street, Argyle Street and Bath Street – perhaps some of the most prominent streets in the centre of Glasgow.

⁸⁵ *Scotsman*, 12 April 1902, p. 11.

⁸⁶ *Ibid.*

Similar to areas in the Central and East End of the New Town in Edinburgh in which prostitution occurred, these streets in Glasgow were also close to the two main railway stations and were well-known for having a variety of different entertainment venues located there. This would suggest, therefore, that, as was the case in Edinburgh, the location of prostitution in Glasgow moved from a less respectable (albeit still relatively central) area of the city to the busiest entertainment and commercial districts of the city centre. However, like in Edinburgh, this did not mean that prostitution no longer occurred in the working-class districts, such as the Cowcaddens and the Gorbals, only that it was not restricted to these 'less respectable' locations.

This comparison is also supported by the criminal statistics for Glasgow. For the years 1892-1908 the Chief Constables in Glasgow recorded how many times officers had visited brothels in particular areas. These figures do not relate to the actual number of brothels in that particular area, and it could be argued that they reveal more about police policy than the location of brothels. Nevertheless, they do give some indication of where brothels were located, even if it is difficult to know the location of brothels that were not visited by the police. Table 2.1 demonstrates that from 1892 - 1900 District A (Central District) had a large majority of the brothel visits, and that district B (Western District) had the second largest amount of brothel visits. The other districts have relatively very few visits, and most districts apart from E (Northern District) and C (Eastern District) had no visits at all. After 1900 the location of brothel visits began to change. The number of visits became more spread out between the A, B, C and E districts and the difference between the number of visits in each of these districts reduced. The district with the most visits varied slightly from year-to-year, but in general, although A district remained predominant, districts C and E became more prominent.

Year	District A	District B	District C	District D	District E	District F	District G	District H	Marina
1892	80%	5%	0%	0%	15%	0%	0%	0%	0%
1893									
1894	78%	9%	1%	0%	0%	0%	0%	0%	0%
1895	82%	11%	0%	0%	7%	0%	0%	0%	0%
1896	85%	9%	0%	0%	6%	0%	0%	0%	0%
1897	85%	7%	0%	0%	7%	0%	0%	0%	1%
1898	80%	8%	7%	0%	3%	2%	0%	0%	0%
1899	70%	12%	14%	0%	2%	2%	0%	0%	0%
1900	51%	26%	18%	1%	3%	0%	1%	0%	0%
1901	27%	36%	27%	3%	3%	0%	3%	1%	0%
1902	32%	40%	19%	0%	7%	1%	0%	1%	0%
1903									
1904	31%	5%	14%	11%	2%	0%	1%	0%	6%
1905	0%	10%	16%	2%	56%	0%	3%	0%	0%
1906	30%	13%	27%	0%	27%	0%	3%	0%	0%
1907	4%	17%	58%	6%	2%	6%	2%	0%	0%
1908	21%	8%	25%	4%	25%	4%	12%	0%	0%

Table 2.1: Percentage of Visits to Brothels in each Police District of Glasgow. Source: Glasgow Annual Reports, 1892 – 1908.⁸⁷



Figure 2.19: Map of Police Districts in Glasgow in 1933. Source: Glasgow Police Annual Reports.

⁸⁷ Colours refer to the frequency of police visits: red the highest percentage, green the second highest and yellow the third highest.

The different range of sources available for Edinburgh and Glasgow means that it is difficult to compare the two cities over the whole time period. Whereas there is more information about brothels during the interwar period for Edinburgh, there is only detailed information available about brothels in Glasgow for the period before 1908. However, even with this limitation it is possible to make useful comparisons. The annual reports clearly show that, as was the case in Edinburgh, the location of brothels was fairly well distributed throughout the city. Similarly, like in Edinburgh, they were also located in the central, western and eastern areas of the city. Although the brothels appear to have been more central than in Edinburgh in the nineteenth century, by 1900 the locations began to diversify, and if the police annual report of brothel visits had continued further, it is fair to hypothesise that this trend may have continued.

Clandestine Prostitution in Glasgow

The streets and brothels of Glasgow were not the only places where people feared prostitution was occurring. As mentioned above, the seemingly innocent ice-cream parlours were also seen as a possible location for prostitution. The 'Memorandum on a Social Evil in Glasgow, and the State of the Law for Dealing with Certain Forms of Immorality', published in 1911 by Glasgow Parish Council, demonstrates the types of fears which were associated with ice-cream parlours. The report described how it was 'well known that temperance and ice-cream shops [were] being used as brothels', and that 'most of the offenders against the Immoral Traffic Act [were] foreigners and Jews.'⁸⁸ The 'evidence' for this statement is provided by several descriptions of particular cases where women had been seduced in these types of premises. For example, the report details how one girl had been:

leading an immoral life for about 6 months. She "got into a bad company of girls" and was advised by a friend to "go with Brazilian sailors for immoral purposes." She was first taken advantage of in an ice-cream shop. She at first declined (but persuaded by her friend) ...she gave way and allowed the Italian to have sexual intercourse with her in the back shop... she was also "in the habit in the evenings of frequenting certain offices in the centre of the city and having immoral intercourse with the occupiers".⁸⁹

⁸⁸ GCA, T. PAR 1.16, p. 279 *Memorandum on the Social Evil in Glasgow*, 1911, p. 10.

⁸⁹ *Ibid.*

In the report, ice-cream parlours are clearly seen as a location for immorality, and the foreign men were held responsible. This emphasis on 'foreigners' resonated with the fears associated with the 'white slave trade', and with the belief that 'foreigners' were a major cause of sexual immorality.⁹⁰

Nonetheless, it is not exactly clear whether these ice-cream parlours were necessarily sites of clandestine prostitution or sites of promiscuity, and the distinction between the two terms often became blurred. For example, the author of the report explained how 'ice-cream shops have a very black record because of the temptation offered to young girls... from the ice-cream shop it is but a step to the "farmed-out" house and the brothel, thence to the lock hospital or the poorhouse'.⁹¹ It appears that the ice-cream parlours were seen as a 'first step' on the way to prostitution, rather than an actual site of prostitution. For example, rather than money, the report described how the Brazilians 'supplied [the girls] with chocolate, trumpery scarves, [and] cheap jewellery'.⁹² Nevertheless, even if the boundaries between promiscuity and prostitution were blurred in the minds of those who feared that sexual immorality was rising, these types of venues were (rightly or wrongly) increasingly associated with prostitution.

Conclusion

Ashworth's study of red light districts in Western Europe established that the main factors which determined the location of prostitution were 'accessibility, opportunity and constraint'.⁹³ This chapter has focused on the two former factors and found that as the twentieth century progressed, the location of street prostitution in Edinburgh moved further towards the centre of the business and entertainment districts, because these busy areas provided the best 'accessibility and opportunity' for the women who relied on visibility for their solicitation to be successful. Although there is not the same quantity of detailed sources available for Glasgow, the evidence suggests that in Glasgow street prostitution also occurred in the very centre of the city.

⁹⁰ Edward Bristow, *Prostitution and Prejudice, the Jewish Fight against White Slavery, 1870-1939* (Oxford: Clarendon, 1982).

⁹¹ GCA, T. PAR 1.16, *Memorandum on the Social Evil in Glasgow*, p. 4.

⁹² *Ibid.*, p. 10.

⁹³ Ashworth, White and Winchester, 'The Red-Light District in the West European City'.

However, the location of brothels in both cities varied slightly from this pattern. Whereas women who solicited on the street utilized their visibility to maximise their 'accessibility' and 'opportunity', those working in brothels could depend on other methods. Due to brothels' stationary nature, brothel-keepers could rely on the fact that once men knew the location of their brothel they could return again without needing to be solicited. Alternatively, new customers could be solicited and then directed to the brothel. This meant that brothels in Edinburgh could be more widely dispersed throughout the city and not necessarily restricted to the city centre. In Glasgow the brothels were mainly situated in more central locations. However, as the century progressed they also began to become more widely dispersed.

By examining the methods used in both indoor and outdoor prostitution, this chapter has shown that the distinction between the two was often blurred – with indoor and outdoor spaces being used for both street and brothel prostitution. Whilst some women solicited and engaged in the act of prostitution outdoors, on the public streets, stairways and parks, other women solicited on the street and then went indoors for the act of prostitution. Alternatively, some women worked primarily from a brothel, or in more clandestine environments, such as in dance halls, but they were not necessarily restricted to these indoor spaces. Although many of these various indoor premises were legally defined as brothels, there was no homogeneity in their nature, and many were little more than small flats or lodging houses.

The third and final important factor identified by Ashworth was 'restriction'. This 'restriction' is most commonly associated with legislation and police action which restricts the activities and movements of prostitutes (although it can also refer to more informal 'restriction' through the work of reformers, or pressures from commercial business interests). Julia Laite has argued that in London during the early twentieth century an increase in the criminalisation of street prostitution forced women off the streets and to use alternative clandestine methods.⁹⁴ However, this chapter has shown that in Edinburgh and Glasgow prostitution still occurred in the very centre of the city well into the twentieth century, suggesting that commercial factors were more influential than any police attempts to restrain prostitution. By taking advantage of the opportunities in the busy central and middle-class districts of

⁹⁴ Julia Laite, 'Prostitution in London, 1885-1930', PhD Thesis (University of Cambridge, 2008).

the city, the women not only crossed boundaries of respectable femininity, but also transgressed borders of class and gender. The next chapter will therefore continue to question this assertion by examining the methods which were used in Edinburgh and Glasgow to police both street and indoor prostitution, and examine what role the police played in shaping the nature of prostitution.

Chapter Three: The Policing of Prostitution in Edinburgh and Glasgow.

Introduction

By the late nineteenth and early twentieth centuries, a wide range of national legislation and local by-laws meant that the Scottish police had considerable powers to arrest those involved in prostitution. This chapter will focus on how the police officers in Edinburgh and Glasgow interpreted these laws and how this translated into the everyday policing of prostitution. The strategies developed by senior officers were central in shaping the overarching approach towards regulating prostitution; however, exactly how these strategies were interpreted and implemented on a day-to-day basis was ultimately determined by the decisions of individual policemen on the beat. It is therefore important to examine the attitudes of both lower ranking and senior police officers towards prostitution in order to establish how their attitudes may have affected the ways in which different types of indoor and outdoor prostitution were regulated. I argue that police officers made a distinction between 'fallen women' and 'hardened prostitutes', and that this division influenced the methods they used to police these women. Although some of the officers sympathised with the wider socio-economic circumstances that caused women to 'fall', the distinction between 'victim' and 'criminal' was increasingly shaped by the assumption that only those women who were 'victims' of dangerous pimps, traffickers and brothel-keepers were worthy of more sympathetic treatment. Consequently, this meant that the police increasingly focused their attention towards prosecuting brothel-keepers and pimps rather than the women who solicited on the street. The chapter will examine what wider impact these different policies had on the nature of prostitution in Edinburgh and Glasgow during the early twentieth century.

Julia Laite has argued that in London during the period from 1885 to 1930 prostitution was increasingly criminalised.¹ Laite describes how the Metropolitan Police's 'crackdown' on prostitution 'pushed many women off the streets and into off-street commercial sex establishments' in order to avoid detection by the police.² Moreover, the Metropolitan Police utilised a combination of local by-laws, licensing

¹ Julia Laite, 'Prostitution in London, 1885 – 1939', PhD thesis (University of Cambridge, 2008).

² Ibid, p. 37.

acts, aliens acts, park regulations, breach of the peace and brothel legislation to further curtail the activities of prostitutes. In Edinburgh and Glasgow, however, there was less emphasis on criminalising street prostitution. Overall, the police were not particularly enthusiastic about controlling the activities of prostitutes and their eagerness to arrest these women was subject to fluctuations in the public concern about prostitution and immorality. Furthermore, the actual number of cases brought to court dramatically declined during the period. This chapter will argue that rather than persecuting prostitutes, the police, in co-operation with voluntary organisations and probation workers, began to adopt a semi-formal penal-welfare approach towards those women they understood to be vulnerable victims in need of reform. However, the women who did not fit the 'victim' stereotype or refused to be 'helped' were treated less sympathetically and were instead sent to court for sentencing.

Policing Street Prostitution

Although there was legislation put in place in Scotland during the late nineteenth century that made it an offence for prostitutes to importune on the street, the quantity or severity of solicitation legislation did not increase during the early twentieth century. The 1892 Burgh Police (Scotland) Act Section 381, subsection 22 made it an offence for a 'common prostitute or street walker' to importune for the purposes of prostitution, and subsection 23 criminalised anyone who 'habitually and persistently importunes or solicits, or loiters about for the purpose of importuning or soliciting women or children for immoral purposes'. Prior to this, Edinburgh had introduced the 1879 Municipal and Police Act which penalised the "common prostitute" or "night walker" who loiters or importunes passengers for the purposes of prostitution in or near any street or court'. In Glasgow, the Glasgow Police (Further Powers) Acts 1892 – section 18 stated that:

every street prostitute or street walker who on or near any street loiters about or importunes passengers for the purposes of prostitution shall be liable to a penalty not exceeding forty shillings for each offence.³

The impact and effectiveness of this legislation depended largely upon how the police chose to implement it. The main technique used to police street prostitution in

³ The Glasgow Police (Further Powers) Act 1892 (55&56 Vict. c. 165).

both Edinburgh and Glasgow was surveillance. During the Street Offences Committee, which was set up in 1927 to investigate the effectiveness of solicitation laws, the Edinburgh Police Chief Constable Roderick Ross explained how they policed prostitution: 'street offences were dealt with by plain clothes officers who were selected for their capability, experience and good conduct. There were about 30 officers out each night, 6 pairs in each division.'⁴ The surveillance and arrest of prostitutes was primarily the responsibility of plain-clothes police; however, these plain-clothes officers were also engaged in different tasks apart from 'merely seeking out prostitutes'.⁵ Using plain-clothes policemen meant that they would go unnoticed by the women as they followed them on the streets, which allowed the officers to become 'acquainted with the habits of this class'.⁶ Scots Law requires there to be two witnesses before a conviction can be made; therefore the police officers worked in pairs so that they could verify each other's evidence.

The witness reports given by the Edinburgh Police describe in detail how the officers followed the women and recorded their every move.⁷ The officers listed which streets the 'suspected prostitute' walked on, the different shops, pubs, and parks she entered, who accompanied her and, most importantly, the details of each act of solicitation, including who, when and where. The types of details they recorded became very routine in nature, and the statements they wrote appear to have followed a set pattern. If one removed the specific details from each case (such as the names, dates and addresses), the extract below could represent any one of the numerous witness statements:

At 10.50 pm on date of charge, I saw the two accused accost two sailors in Princes Street. They left them and then went down Leith Street where they loitered about and accosted a civilian. They left him and proceeded up Leith Street where they accosted 4 sailors. They were then arrested. The sailors were interviewed and they said that the two accused accosted them and declined to be witnesses. Both accused deny the charges.⁸

⁴ *Scotsman*, 28 January 1928, p. 11.

⁵ *Ibid.*

⁶ Edinburgh City Archives (hereafter ECA), ED006/2/8 Edinburgh Police General Order 726, 2 May 1906.

⁷ Edinburgh City Archives (hereafter ECA), Edinburgh Burgh Court Records (hereafter EBCR), witness reports 1903-1931.

⁸ ECA, EBCR, witness statement of P.C George Irvine, 31 December 1920.

Once sufficient evidence had been gathered to establish that a particular woman was soliciting for the purposes of prostitution, the police approached her whilst she was talking with the man she was suspected to have solicited. The police then asked the man if he knew the woman and whether she had solicited him for prostitution. After the man gave his reply, the police noted his answer and then asked him to accompany them to the police station to act as a witness. In most cases the man declined to be a witness and was allowed to leave.

Whether or not women were arrested often depended on their previous conviction history. Those with no convictions or cautions for prostitution were given a caution and allowed to leave. Women were given three cautions before they were charged with an importuning offence and sent to the Burgh Court for a hearing and sentencing. This policy appears to have been closely followed by the police in both Edinburgh and Glasgow. For example, in 1911 the Glasgow Chief Constable wrote that:

as a rule offenders are not brought before the court on the first apprehension – their names are taken and they are cautioned by the officer on duty and allowed away. If their parents or friends can be traced, they are asked to come and take them away.⁹

In Edinburgh, William Merrilees described the process of cautioning, starting from when a ‘girl’ was first caught soliciting:

The girl herself was placed on record and given her first caution. If the same girl was caught again she was given a second caution, and possibly asked to call and see me. Some took advantage of this, others did not. If a girl was caught a third time, she was taken to the nearest police station where the officer in charge delivered a final caution.¹⁰

The Edinburgh Burgh Court records describe how this caution system was carried out on a daily basis. For example, in January 1928 the police caught Jessie Hope, Ann Paton and Catherine Delaney soliciting on the east side of Leith Street. Whereas Hope and Paton were described as ‘being known to the police witness as being in the habit of frequenting the streets for the purposes of prostitution’ and were consequently arrested and sentenced, ‘the girl Delaney who had never been arrested

⁹ Glasgow City Archives (hereafter GCA), DTC 7/19/1/98, Criminal Returns 1911.

¹⁰ William Merrilees, *The Short Arm of the Law* (London, 1966), pp. 75 -76.

for prostitution was cautioned and allowed away.’¹¹ The system of cautioning is further explained in the police witness’s testimony which detailed the history of the women in order to explain why they were arrested. The report on Hope and Patton stated that:

number one has been twice cautioned on the street and at 12.20am on Saturday 5 November 1927 was arrested on Princes Street for prostitution by P.C Aston and Blair, and taken to the Waverley Market Police station, where she was cautioned by P.C James Nicole and allowed away. Number two accused has been once cautioned on the street, and at 11.55pm on Tuesday 15 January 1928 was arrested in George Street for prostitution by P.C Watson and P.C Blair and taken to Waverley Market Police office and cautioned by P.C William Hunt and allowed away.¹²

The fact that this information had to be described in detail in order to justify the arrests of the women suggests that the police took the cautioning procedure seriously. It also meant that the police could collect enough evidence to ‘prove’ that a particular woman was importuning for the purposes of prostitution.

This evidence was particularly important because it could protect the police from accusations that they had falsely arrested an ‘innocent’ woman. The widespread fear that officers could be accused of falsely arresting women made some officers more reluctant to arrest suspected prostitutes. Judith Walkowitz, Julia Laite and Stefan Slater have shown how highly popularised cases of women being falsely arrested for soliciting and indecency, such as that of Elizabeth Cass in 1887 and Irene Savidge in 1928, made the police more concerned about the dangers of wrongly arresting women they suspected were prostitutes.¹³ During the 1927 Street Offences Committee several questions were raised about the possibility of false arrest in Edinburgh and Glasgow, including how the forces ensured that it did not occur. The witnesses representing both police forces insisted that false arrest was extremely unlikely and uncommon because of their thorough cautioning system.¹⁴ When questioned further, however, Mr Macpherson (public prosecutor for Edinburgh) recalled a case in 1926 where a woman was falsely accused of importuning for the

¹¹ ECA, EBCR case of Jessie Hope, Ann Paton and Catherine Delaney, January 1928.

¹² Ibid.

¹³ See, for example, Judith Walkowitz, ‘Going Public: Shopping, Street Harassment, and Streetwalking in Late Victorian London’, *Representation*, 62 (1998) pp. 1-30; Laite, *Prostitution in London, 1885-1930*, p. 170; Slater, ‘Containment: Managing Street Prostitution in London’, p. 343.

¹⁴ *Scotsman*, 28 January 1928, p. 11.

purposes of prostitution and awarded £500 damages by the court.¹⁵ Lord Advocate Mr Craig also recalled a complaint of false arrest made by a woman in 1907 against the Glasgow Police which 'caused a good deal of trouble.'¹⁶

The Burgh Court records for Glasgow have not survived, and therefore it is harder to find the type of detailed evidence about police procedures in Glasgow that exists for Edinburgh. However, the Glasgow Police Instruction Book compiled in 1923 laid out the procedures that officers were meant to follow when arresting women suspected of engaging in prostitution.

A prostitute cannot be taken into custody simply because she is a prostitute; to justify her apprehension she must commit some distinct act which is an offence against the law. The police have no power to interfere with men and women merely speaking together in the streets so long as they behave themselves properly and do not cause an obstruction. When it is found necessary to interfere, it must be done civilly and firmly, without any offensive language.

If a woman, suspected of being a prostitute, is observed in any street, she should be watched, and if she is seen to accost men or to endeavour to attract their attention she should be warned that if she persists in such conduct she may be apprehended, if after being warned, she is again found accosting men, and her actions leave no doubt that she is doing so for the purposes of prostitution, she may be apprehended. Before taking a woman into custody there must be sufficient evidence to satisfy the magistrate (1) that the woman is a prostitute, and (2) that she was loitering or accosting men for the purposes of prostitution.

The fact that she is a prostitute may be proved either from previous convictions or her known character. Apprehensions should never be made in a doubtful case; a report should be made so that inquiry may be made into the woman's character. The police should be most careful to guard against the possibility of a mistake.¹⁷

Therefore, although there are some small differences in the exact nature of the cautioning system, the general principle of providing women with cautions before they were arrested was similar to that of Edinburgh. In both cities the police were careful to ensure that they had enough 'evidence' to prove that the woman was a

¹⁵ Ibid.

¹⁶ *Scotsman*, 2 December 1927, p. 13.

¹⁷ GCA, SR22/60/13 City of Glasgow Police Instruction Book 1923, pp. 356-357.

prostitute importuning for the purposes of prostitution in order to safeguard themselves against accusations of wrongful arrest.

In both cities it was considered that women with previous convictions or several cautions could be safely labelled as 'prostitutes' and consequently these women were more likely to be arrested. There were some exceptions to this, and several women were given more than three chances before they were arrested. For example, the police testimony relating to the case of May McArthur in 1919 described how she had 'never been before the court for prostitution, but she has been cautioned on six occasions'.¹⁸ Nonetheless, once a woman had been convicted as a 'prostitute', it became harder for her to escape arrest in the future. In this respect, it could be argued that this procedure enshrined in law a system that created a distinction between women according to whether or not they were considered 'hardened prostitutes'. Once labelled as a 'prostitute', women were liable to be treated differently under the law than other 'non-prostitute' women.

Nevertheless, this did not mean that women with previous convictions were successfully prohibited from importuning on the streets. Testimony given to the Street Offences Committee suggested that it was public knowledge (or at least a common suspicion) that the police sometimes turned a 'blind eye' towards instances of street prostitution. For example, Miss Kelly (a committee member) asked Edinburgh Police Chief Constable Roderick Ross about the likelihood that the officers could become so familiar with the women that they would 'wink at their offence'.¹⁹ Ross denied that this was probable, but, the fact that this question was raised suggests that these were commonly held concerns. Michael Brogden's research on the Liverpool police force during the interwar period shows that this *laissez-faire* approach was also common there. Brogden explains how 'for the beat officer, prostitution was usually something to be tolerated. As long as the woman did not go out of her way to solicit customers, it was recognized that she, too, had a living to make.'²⁰ The choice of whether or not to arrest or caution the women was therefore ultimately dependant on the individual police officers – a situation which gave them considerable discretionary powers.

¹⁸ ECA, EBCR, case of May McArthur, 16 May 1919.

¹⁹ *Scotsman*, 28 January 1928, p. 11.

²⁰ Micheal Brogden, *On the Mersey Beat* (Oxford: Oxford University Press, 1991).

To understand how prostitution legislation was interpreted and implemented on a day-to-day basis, it is therefore important to examine police attitudes towards prostitution. By doing so it becomes apparent that the cautioning system described above fits within a wider conceptual framework that divided women into distinct groups depending on whether or not they were considered viable candidates for reform. This in turn was based on long established ways of viewing female sexuality that juxtaposed women as either 'whores' or 'Madonnas'.²¹ Therefore, the factors that determined whether women were considered 'worthy of reform' largely coincided with wider public attitudes towards prostitution. For example, Paula Bartley describes how the 'sentimentalisation' of the prostitute encouraged by feminists and reform organisations meant that the image of the prostitute as the 'victim of circumstance' became more prominent during the early and mid-nineteenth century.²² These reformers brought public attention to the socio-economic inequality women faced and to the double standard of sexual morality which led many women to turn to prostitution as a means of providing for themselves and their families.

However, by the end of the nineteenth and start of the twentieth century the focus had turned towards the dangers of 'white slavery'. Through the sensationalist journalism of writers such as W.T. Stead and his article 'The maiden tribute of Modern Babylon' in the *Pall Mall Gazette*, the public became concerned about the existence of an international trade in young women who were forced into prostitution abroad.²³ This emphasis on forced prostitution arguably turned public attention away from the underlying socio-economic causes which forced women to resort to prostitution, and instead implanted the image of the young vulnerable woman tricked or forced into prostitution as the real 'victim' who was in need of rescuing. A variety of different attitudes are displayed within the police records for Edinburgh and Glasgow, many of which were influenced by this 'white slavery' rhetoric. What is clear, however, is that although the reasons behind why officers chose to sympathise

²¹ See, for example, Lisa McLaughlin, 'Discourses of Prostitution/Discourses of Sexuality' *Critical Studies in Mass Communication*, 8, 3 (1991) pp. 249-272; Eric Trudgill, *Madonnas and Magdalens: The Origins and Developments of Victorian Sexual Attitudes* (London: Heinemann, 1976).

²² Paula Bartley, *Prostitution: Prevention and Reform in England, 1860-1914* (London: Routledge, 2000).

²³ W.T. Stead, 'The Maiden Tribute of Modern Babylon', parts I-IV, *Pall Mall Gazette*, 6, 7, 8, 10 July 1885.

with particular women may have varied, the police clearly made a distinction between those who should be punished and those who deserved a second chance. The cautioning system was instrumental in facilitating and encouraging this process.

Few surviving sources provide an insight into the opinions and attitudes of the lower-ranking officers who were primarily responsible for making decisions on the ground. There are, however, some witness statements made by these officers which provide an insight into their attitudes. For example, in 1912 Edinburgh Police Constable (PC) Alexander Robb described how Helen Garvie had 'been at different periods conducting herself as a prostitute ... I have repeatedly cautioned the accused for such conduct ... and on each occasion she promised to abandon that mode of living'.²⁴ Robb's continued attempts to deter Garvie from prostitution (without arresting her) suggest that he sympathised with her situation and was willing to give her several chances. He appears to have had faith that she might leave prostitution, and his description of how she 'has been at different periods conducting herself as a prostitute' suggests that he did not see her primarily as 'a prostitute', but as someone who had to 'conduct herself' that way to earn a living.²⁵ In another case in 1919 PC Robert Reid and PC William Webster tried to help nineteen-year-old Mary Kelly who was being abused by her husband, who was also acting as her pimp. Reid described how he had 'directed her to go to the central police station where she would get shelter as she said she was afraid to go home, and could stand [the] accused no longer'.²⁶ Webster corroborated this evidence by declaring that 'she impressed me that she was giving a truthful statement'.²⁷ The witness testimony given by the two officers illustrates that they were both sympathetic towards her situation and aware of the abuse that prostitutes were liable to face from the men who exploited them. Joanne Klein's research on police officers in Liverpool, Manchester and Birmingham during the interwar period shows that this sympathetic and understanding approach could be seen throughout police forces across Britain. For example, Klein explains how 'most constables protected women from being

²⁴ ECA, EBCR, case of Helen Garvie, 9 January 1915.

²⁵ *Ibid.*

²⁶ ECA, EBCR, witness statement of Robert Reid, 23 July 1919.

²⁷ ECA, EBCR, witness statement of William Webster, 23 July 1919.

victimised, regardless of their respectability, and even prostitutes sent for the police if they had problems with customers.²⁸

It has been established in the previous paragraphs that the actual implementation of the law could often depend on the decisions of the individual police officers on the ground. However, the attitude of the Chief Constable and Police Authorities inevitably had a considerable influence over the way that particular aspects of the law were enforced. The police force was a hierarchical organisation, and the officers were expected to follow the strategies that were announced in the General Orders issued by the Chief Constable. These orders were in turn influenced by policies that were decided by the Edinburgh council and magistrates committee who were ultimately influenced by wider public and political concerns. Nonetheless, Klein has shown that in Liverpool, Manchester and Birmingham 'the personality of each force was in many ways dependent on the character of its Chief Constable.'²⁹ Therefore, the attitude of the Chief Constable towards prostitution would ultimately affect the strategies that he adopted towards policing prostitution and the General Orders that the police were given to follow.

In his Annual Police Reports James Verdier Stevenson (the Glasgow Chief Constable from 1902 to 1922) made various statements that suggested he was very aware of the economic and social reasons why some women had few viable options other than to enter prostitution. In the Glasgow Police Annual Report for 1904, Stevenson described how prostitution was caused by 'the low rate of wages paid for female labour [which] tend[ed] to lead girls to the streets'.³⁰ In 1913 he explained that a woman entered prostitution because of an 'evil association' and that it was 'almost impossible for a young woman to break voluntarily with the associates whose interest it is to keep her in a state of degradation'.³¹ In April 1922 the new Glasgow Chief Constable, Andrew Donnan Smith, made a similar statement:

while it is true that many girls fall voluntarily, it is equally true that innocence, inexperience, poverty, and lack of employment are responsible for a great amount of prostitution, and great tact must be

²⁸ Joanne Klein, *Invisible Men, The Secret Lives of Police Constables in Liverpool, Manchester and Birmingham, 1900-1939* (Liverpool: Liverpool University Press, 2010), p. 224.

²⁹ *Ibid.*, p. 6.

³⁰ GCA, DTC 7/19/1 Glasgow Police Annual Report, 1904.

³¹ GCA, DTC 7/19/1 Glasgow Police Annual Report, 1913.

exercised in dealing with girls of this class if any headway in their reclamation is to be made.³²

These statements suggest that the Chief Constables in Glasgow during this period understood that the women were often involved in prostitution for socio-economic reasons beyond their control and were therefore worthy of sympathy rather than moral condemnation.

The Glasgow Police annual reports show that this understanding of prostitution translated into a more welfare-orientated approach towards the women, and it is clear that Glasgow Chief Constable Smith was in favour of sending women to places where they could be reformed rather than punished. For example, in the annual report for 1922, Smith described how 'the imposition of a fine does not prove a deterrent, any person may pay the fine, and the woman may continue her mode of life'.³³ As an alternative to this, Smith suggested that 'prostitutes' should be sent to a detention home. As will be further explained in chapter four, the idea of the reform home was not new, and institutions to reform 'fallen women' had been in existence since the late eighteenth century. However, Smith's description of a reform environment of 'great human love' suggests that he was genuinely concerned about the fate of these women and did not simply see them as a social nuisance in need of punishment. Smith wrote that the women should be sent to places with a 'homely description, and in charge of a person possessed of great human love and sympathy who would study each inmate in order to ascertain her individual tastes, and educate her on these lines'.³⁴ In 1928 the importance of reforming the women in a 'nice environment' was again stressed by Smith who stated that 'much money [was] spent on objects less worthy'.³⁵ Even if this show of charity was for publicity purposes, it is significant that he thought a benevolent approach to be more appropriate than treating the women as criminals. His insistence that it was a worthy cause to spend money on reforming prostitutes suggests that he was committed to helping these women in practice and not just in theory.

³² GCA, DTC 7/19/1 Glasgow Police Annual Report, 1922.

³³ Ibid.

³⁴ Ibid.

³⁵ GCA, DTC 7/19/1 Glasgow Police Annual Report, 1928.

In 1931 Percy Sillitoe replaced Smith as the Chief Constable of Glasgow. A. W. Cockerill, the author of Sillitoe's biography, described how Sillitoe wanted 'prostitutes to look upon him as their father confessor'.³⁶ Cockerill generally describes Sillitoe as a very dedicated, successful Chief Constable who was caring, understanding and sympathetic, yet also tough against crime, especially in dealing with Glasgow's gangs.³⁷ One of the main tactics he used to tackle the gangs was the use of informants, and these informers included 'barmen, ex-cons who Sillitoe helped over the years, prostitutes, a number of ex-boxers, and an ill assortment of gangsters'.³⁸ It appears that this co-operation with prostitutes continued in Glasgow at least until the mid-1940s. For example, the memoirs of Robert Colquhoun (a detective in Glasgow during the 1940s) describe how during the Second World War prostitutes would 'run amazing risks to tip us off'.³⁹ Another Glasgow policeman, David McNee, who was a plain-clothes officer during the 1940s, also described how the police frequently co-operated with prostitutes and were keen to listen to any information they might provide. Mc Nee describes how he spent time:

getting to know the 'girls' (indeed many of them were not much more than girls), listening to their gossip, exchanging pleasantries. They showed little or no antagonism towards the police and we in turn rarely judged them in moral terms. They knew the rules of the 'game' and there was a spirit of friendly competition between us.⁴⁰

These statements made by both senior and lower ranking officers suggest that, not only were the Glasgow police sympathetic and understanding towards the women who were involved in prostitution, but that they were also prepared to work together with prostitutes to solve crimes that they considered were more of a threat to society than prostitution.

It appears that this also held true in Edinburgh. The Chief Constable in Edinburgh between 1900 and 1935 was Roderick Ross, and therefore his opinions and decisions clearly had a large impact on the policy of the Edinburgh police during

³⁶ A. W. Cockerill, *The Memoirs of Percy Sillitoe* (London: W.H. Allen, 1975), p. 103.

³⁷ For more on gangs and policing in Glasgow see, for example, Andrew Davies, 'Street Gangs, Crime and Policing in Glasgow in the 1930s: The Case of the Beehive Boys', *Social History*, 23, 3 (1998) pp. 251-68; Andrew Davies 'Glasgow's "Reign of Terror": Street Gangs, Racketeering and Intimidation in the 1920s and 1930s', *Contemporary British History*, 21, 4, (2007) pp. 405-427.

³⁸ *Ibid.*, p. 133.

³⁹ Robert Colquhoun, *Life Begins at Midnight* (London, 1962), p. 62.

⁴⁰ David McNee, *McNee's Law* (London: Collins, 1983), p. 40.

this whole period. Evidence given by Ross to the Street Offences Committee suggests that he was sympathetic towards some of the women involved in prostitution. When asked by committee chairman John McMillan whether he thought the street offences legislation should retain the words 'common prostitute', Ross stated that it was 'a harsh term to apply to young girls of sixteen or seventeen' and that he preferred the term 'habitually soliciting or importuning for prostitution' because it was 'a much kinder designation'.⁴¹ This statement clearly demonstrates how a distinction was made between the different women involved in prostitution. Ross was considerably more sympathetic towards the younger, less experienced women, but, when referring to the older women who had been involved in prostitution for a long time, he felt it was acceptable to use harsh terms such as 'common prostitute' to describe them.

This is not the only instance when the police made this type of distinction. In 1920 Hilda Lind was arrested for importuning for the purposes of prostitution. The witness report described how she had never been before the court and had only been seen soliciting on the streets for the past few weeks, during which time she had been cautioned several times. The report ended by describing how she was 'at present in a very dirty state and seems a little soft' and it was therefore suggested that she needed to 'be found some place where she would be cared for'.⁴² The officer evidently showed concern for her welfare and saw her as someone in need of care rather than punishment. Hilda's age was not disclosed, although it appears that she might have been relatively young because she was living with her parents. Whether or not she was actually 'young' in terms of years, the fact that the officer believed that she was new to prostitution and did not describe her as a 'prostitute' appear to have been important reasons behind his more welfare-oriented approach.

Roderick Ross was not the only senior member of the Edinburgh Police who sympathised with some of the women, but not with others. William Merrilees, who was head of the vice department during the 1920s and 1930s (and therefore had substantial influence over how prostitution policy was implemented), showed considerable empathy towards some of the women. In his autobiography he described how 'the problem of these unhappy girls nagged at me and my

⁴¹ *Scotsman*, 28 January 1928, p. 11.

⁴² ECA, EBCR, case of Lind Hilda, 1920.

conscience'.⁴³ He explained how he believed that 'his duties lay not merely in bringing offenders to justice, but in helping, or seeking to help, at least some proportion of the girls towards a different and better life'.⁴⁴ Merrilees (like Glasgow Chief Constable Andrew Smith) also believed that this could be achieved by sending women to reform homes and finding them alternative respectable employment.⁴⁵ Similarly, he too selectively adopted the notion of the prostitute as the victim of immoral men and therefore in need of pity and compassion, depending on the circumstances of the individual women involved. For example, he explained that girls 'turned to prostitution ... as a result of being wronged and abandoned by their lovers'.⁴⁶ However, his attitude was not always this understanding. On several different occasions within his autobiography he referred to particular women as 'old pros', 'older known prostitutes' and 'old buns'.⁴⁷ He was clearly less concerned about the welfare of these 'common prostitutes' and later explained that the only women who were arrested were those who had ignored the opportunities they were given to be reformed. He therefore concluded that it was 'only fair' that these repeat offenders were sent to prison. Moreover, when referring to the problem of venereal disease he described how prostitutes were a dangerous threat to society and it was therefore necessary that they should be sent to a lock hospital for treatment. Clearly Merrilees did not have the fate of *all* of these 'unhappy girls' on his conscience. Only those women who fitted the victim stereotype and were willing to reform were considered worthy of his compassion.

This notion of a division between the 'victim' and the 'criminal' prostitute can be seen throughout the statements made by the police in both Edinburgh and Glasgow across the whole period. Nonetheless, even if officers were not compassionate or understanding towards all, or any, of the women involved in prostitution, this did not necessarily mean that they were particularly active in their attempts to police them. Prostitution was often not regarded as a 'real crime' because there was no obvious victim. Even if some officers agreed that prostitution was immoral, many believed that it was not their job to police morality. This, along with

⁴³ Merrilees, *The Short Arm of the Law*, p. 64.

⁴⁴ *Ibid.*, p. 65.

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*, p. 67.

⁴⁷ *Ibid.*, p. 77.

the tedious work involved in surveillance operations, meant that many police officers were less than enthusiastic about policing prostitution – a sentiment which was held within many other police forces throughout Britain. For example, Brogden describes how in Liverpool ‘if [prostitutes] made a nuisance of themselves, they would be arrested. But as long as they were discreet, they were just left alone.’⁴⁸

The General Orders given to the police in both Edinburgh and Glasgow suggest that it was complaints from the public about the annoyance caused by prostitution which provided the main motivation for police action, rather than any strongly held belief in the criminality of prostitution. In Scotland it was not necessary to prove that importuning had caused annoyance (unlike in England and Wales during this period).⁴⁹ Nevertheless, it is evident that the police only became more concerned about importuning once they had received complaints from the public. For example, in Edinburgh, General Order 729 stated that ‘many complaints have been raised about prostitution... therefore more needs to be done’⁵⁰, and General Order 707 stated that ‘special attention should be paid to those characters likely to cause such annoyance’ and that ‘officers and men are directed to take such steps as will render these complaints impossible.’⁵¹ The Glasgow police records provide less direct evidence relating to the public complaining about women causing an annoyance. However, the Chief Constable’s reference to the fact that the issue of prostitution had been under ‘observation by a proportion of the press’ as a reason for why the police needed to stop ‘the spread of immorality’ suggests that he too was concerned about public opinion towards prostitution.⁵² Additionally, in 1930 the Glasgow Chief Constable explained that they must take action because ‘many complaints have been made to the police [about] a detestable type of person ... [who] drives a car and in a quiet thoroughfare importunes girls’.⁵³

Merrilees suggested that the lack of enthusiasm for policing prostitution was not the only reason why some officers were reluctant to crack down on vice. In his autobiography he explained that there was corruption within the Edinburgh police

⁴⁸ Brogden, *On the Mersey Beat*, p. 124.

⁴⁹ Laite, *Prostitution in London*, p. 168.

⁵⁰ ECA, ED006/2/5 General Order 729, 13 July 1906.

⁵¹ ECA, ED006/2/5 General Order 707, 22 September 1903.

⁵² GCA, Glasgow Police Instruction Books: SR22/60/13, 25 November 1904.

⁵³ GCA, DTC 7/19/1 Glasgow Police Annual Report, 1930.

vice squad during the interwar period. For example, he claimed that 'all was not well within the department itself. I was increasingly worried by things that were going on, that I knew to be contrary to the good name of the force'.⁵⁴ He later described how some criminals 'obviously depended upon a certain few police officers for a degree of protection'.⁵⁵ Merrilees then explained how he could not trust all of the police officers with information about when the raids on brothels would take place because he feared that they would inform the brothel owners, whom they 'were on friendly terms with'.⁵⁶

Merrilees' claim that there was corruption surrounding the policing of prostitution is hard to verify. His autobiography tends to emphasise his role as the leader of a moral crusade against vice in Edinburgh, and his depiction of corruption in the force may have been exaggerated in an attempt to highlight his superior morality in contrast to the other officers. Nevertheless, it is plausible that some corruption did occur in this particular area of policing. The substantial profits that were generated by prostitution would have made it tempting to 'turn a blind eye' towards particular prostitution offences if a large monetary incentive was involved. Considering that prostitution was often seen as a 'victimless crime', it is likely that certain officers may have been less concerned about the moral implications of ignoring this type of crime. Similarly, a scarcity of evidence relating to police corruption makes it difficult to know the extent of corruption in Glasgow. However, evidence given by Glasgow Chief Constable J.B. Stevenson to the 1907 Metropolitan Police Committee suggests that corruption did exist. For example, Stevenson stated that 'he had heard general statements made in regard to complaints of policemen receiving bribes from book-makers and prostitutes, but he did not think the practice was widespread'.⁵⁷

This type of corruption also occurred within the Metropolitan Police in London during the inter-war period. On 29 January 1929 former Metropolitan Police Station Sergeant George Goddard was sentenced to eighteen-months' hard labour for

⁵⁴ William Merrilees, *The Short Arm of the Law*, p. 69.

⁵⁵ *Ibid.*, p. 72.

⁵⁶ *Ibid.*, p. 88.

⁵⁷ *Scotsman*, 11 April 1907, p. 11.

'corruptly accepting and obtaining money' from brothel and restaurant owners.⁵⁸

Goddard worked in C Division, which included the main vice districts around Soho and thus allowed him to establish a system of bribery and protection:

Each whore paid a regular sum to Goddard, which entitled her to be arrested in proper rotation with the other girls, never unexpectedly, and enabled her to give full attention to passing men without nervous wear and tear of keeping constant look-out for coppers. The arrangement was so convenient to the girls that on the appointed day, in places like Lisle Street, they formed small queues waiting to pay their dues to Goddard.⁵⁹

Goddard was ultimately brought to justice, and some small changes were made to address the problem of police corruption. Nevertheless, Clive Emsley argues that Goddard was not merely 'one bad apple' who was corrupted, but was part of a 'more significant and more deep-rooted' problem. Emsley argues that in order to avoid the 'scandal of corruption that might go well beyond Goddard' the police did not seriously investigate the possibility that there was widespread corruption.⁶⁰ The 1906 Royal Commission into Police Powers and Procedures had suggested that 'the enforcement of laws which are out of harmony with public opinion' (such as those relating to certain types of vice) were likely to result in some cases of police corruption.⁶¹ Therefore, although the lack of factual sources makes it difficult to know the extent of corruption in Edinburgh and Glasgow, the same incentives and opportunities for corruption when policing vice would have been equally tempting in Scotland as they were in London. It is possible, therefore, that Glasgow's Chief Constable was equally unwilling to admit that corruption was more widespread than the activities of a few 'black sheep'.

⁵⁸ Clive Emsley 'Sergeant Goddard: The Story of the Rotten Apple, or a Diseased Orchard?' in Amy Gilman Srebnick and Rene Levy (eds), *Crime and Culture an Historical Perspective* (Aldershot: Ashgate, 2005), p. 85.

⁵⁹ *Ibid.*, p. 95.

⁶⁰ *Ibid.*, p. 93.

⁶¹ *Ibid.*, p. 97.

'Bullying wretches' and 'Houses of Notorious Bad Fame': Policing Brothels and Pimps

Attitudes towards prostitutes and the policing of street prostitution may have been varied and complex, but attitudes towards brothel-keepers, pimps and anyone else that lived off the earnings of prostitution tended to be more clear-cut. The police records show that, rather than prostitutes themselves, it was those who exploited women who were the real focus of police attention. The legislation during this period similarly supported this. The 1885 Criminal Law Amendment Act made 'brothel-keeping' an offence which was punishable by a maximum fine of £20 and a maximum prison sentence of 60 days.⁶² In 1902 the Immoral Traffic (Scotland) Act made living off the earning of prostitution an offence, and in 1912 this Act was extended so that:

every male person who loiters in any public place and persistently solicits or importunes for immoral purposes – shall be liable at the discretion of the court to be imprisoned for any term not exceeding 6 months with or without hard labour.⁶³

Therefore, as with street solicitation legislation, it is equally important to examine how the police interpreted and implemented the legislation.

The main method used to police brothels was similar to that for street prostitution, with surveillance by plain-clothes police officers again providing the main approach used in Edinburgh and Glasgow. The officers would find a location hidden from view and watch the activity that took place outside the brothel. Merrilees describes how this could even include 'watching from roof tops and many strange places.'⁶⁴ A notebook was used to record the details of this activity, with particular attention paid to who entered the establishment and at what time the men and women entered and exited. It was particularly important to note whether men 'stayed the night', a phrase that is frequently used throughout the witness reports. This surveillance would continue for several nights, the number of which varied from one to seven. Surveillance could also involve watching through windows or holes in the walls. For example, in 1914 one officer described how by 'looking through the

⁶² Criminal Law Amendment Act 1885 (48&4 Vict .c. 69).

⁶³ The Immoral Traffic (Scotland) Act 1902 (1&2 Geo 5, c. 20) as amended by the Criminal Law Amendment Act 1912 (3&4 Geo 5, c. 38).

⁶⁴ Merrilees, *The Short Arm of the Law*, p. 68.

bedroom window I saw the man and the woman having carnal connection with each other', and in 1917 another officer described how he observed 'the soldier and the prostitute' through 'a small hole in the door of the house'.⁶⁵

Once the officers had collected enough circumstantial evidence to justify their suspicions, they could apply to the magistrates for a warrant to enter the brothel. However, according to Merrilees, the police in Edinburgh 'seldom use[d] warrants when raiding brothels', and therefore they relied on the co-operation of the occupant to let them enter.⁶⁶ Although the police could apply for a warrant, it appears that it was more convenient for them to use these other methods. On most occasions the occupier allowed the police into the building; however, sometimes the occupier did not answer the door. The witness reports show that the police frequently used their initiative to find other ways of entering the dwelling, often by following other men into the flat, or entering once the door had accidentally been left open.⁶⁷ On entering, they looked for signs which might prove that prostitution had occurred there. The presence of unmarried men and women undressed and in bed together was seen as the most valuable evidence (especially if the woman could be identified as a 'known prostitute'). This type of evidence can be found throughout the witness statements, suggesting that it was seen as the main type of 'proof' needed to establish that prostitution had occurred in the premises.

Next the officers would question the men concerning the reason for their visit. If they could obtain a statement from the men stating that they had gone to this address for 'immoral purposes', that would provide useful evidence, and in the majority of cases the men did admit this. A case from 1914 provides a very good illustration of this: during the first raid on a brothel at 47 St Stephen Street in Edinburgh, the men who were found in the brothel stated that they met 'the women Robertson and Welsh in a public house in the Stockbridge district and accompanied them to the house for a night's entertainment'.⁶⁸ During another raid on the same brothel, when questioned by the police, William Thompson explained that the

⁶⁵ ECA, EBCR, case of Margaret Robertson, 30 December 1914; ECA, EBCR, case of Mary Watt, 8 March 1917.

⁶⁶ Merrilees, *The Short Arm of the Law*, p. 284.

⁶⁷ ECA, EBCR, case of Margaret Robertson, 30 December 1914; ECA, EBCR, case of Mary Watt, 8 March 1917.

⁶⁸ ECA, EBCR, case of Margaret Robertson, 30 December 1914.

accused 'accosted him on Rose Street and he accompanied her to her house'.⁶⁹ During the final raid on the brothel, Robert Hannan stated that 'he was taken to the house by Sharp to get a woman'.⁷⁰ However, once the men had answered the questions they were allowed to leave and were not forced to make an official witness statement at the police station. Consequently, the men rarely became official witnesses, instead choosing to leave before any insinuations could be made which might damage their reputation. In Glasgow, Chief Constable Smith wrote in the 1922 Annual Report that he felt that men should be charged when found in a brothel, 'but regrettably that was not so'.⁷¹

Similarly, the Edinburgh Women's Citizen Association, an organisation concerned with promoting women to be active citizens and widening women's interest in social and political issues, also felt that men found in brothels should be penalised.⁷² For example, it argued that 'the fear of arrest and exposure would surely constitute a very real deterrent to men about to enter upon a career of vice'.⁷³ They also suggested that evidence of men being found in brothels could be used to prove that the man was of 'bad character'. This would provide the necessary evidence to prove that men were soliciting for 'immoral purposes' – evidence that was otherwise difficult to prove when trying to convict men under the 1892 Burgh Court Act.⁷⁴ However, although the organisation did want fair and equal treatment of both sexes under the law, they were more concerned about raising general standards of morality, than the plight of women involved in prostitution. The association was keen to change the definition of a brothel so that women who worked alone indoors could be prosecuted.⁷⁵ Moreover, whilst its members agreed that the solicitation legislation should be changed to include 'every person who in any public place importunes for immoral purposes', the removal of the phrase 'common prostitute' was not so much to support the rights of prostitutes, but to make sure that 'it would cover every

⁶⁹ Ibid.

⁷⁰ Ibid.

⁷¹ GCA, DTC 7/19/1 Glasgow Police Annual Report 1922.

⁷² Sue Innes, 'Constructing Women's Citizenship in the Interwar Period: the Edinburgh Women Citizens' Association', *Women's History Review*, 13, 4 (2004), pp. 621-647.

⁷³ The Women's Library (hereafter TWL) 3AMS/B/04/02, Solicitation laws in Scotland 1892-1955, Edinburgh Women's Citizen Association Resolution, November 1926, p. 4.

⁷⁴ Ibid.

⁷⁵ Ibid.

person, amateur or professional, man or woman'.⁷⁶ In addition to ensuring a single standard of sexual morality, the association was equally eager that this legislation 'could prove a powerful and much-needed deterrent to the amateur prostitute'.⁷⁷

Whether or not the brothel-keeper was arrested often depended on his or her previous convictions. The witness reports show that in some cases the brothel-keepers were given a warning about their conduct before being arrested. For example, in March 1917, after several nights' surveillance, the police cautioned Mary Watt about conducting her house as a brothel. It was only following several more nights of observation that she was arrested for brothel-keeping.⁷⁸ This warning system, however, seemed less rigid than the cautioning system that was used for importuning on the street, and in most cases the brothel-keepers did not receive a caution before they were arrested. For example, in 1914 the police observed Margaret Robertson's flat for seven nights, but she was only told that she would be reported for conducting a brothel during the last visit to the flat.⁷⁹ It appears, therefore, that the police were more lenient towards women who worked on the streets than those who owned and managed brothels. Nevertheless, just as the details of each brothel case varied, the decision made by the officers on whether they should arrest the brothel-keeper varied and was open to police discretion.

In 1903, in response to the Immoral Traffic (Scotland) Act, passed the previous year, Edinburgh's Chief Constable Stevenson issued General Order number 726 which stated that 'not enough [was] being done' to police prostitution and that 'every member of the police force should give this special attention' because it was 'a very important issue'.⁸⁰ However, the remainder of the relevant General Orders detailed new ways in which the police should catch pimps and brothel-keepers. For example, Order 726 emphasised that officers needed to find 'where prostitutes live, not just where they solicit' so that they can 'find the men living off the earnings ... and the brothel-keepers.'⁸¹ William Merrilees described those who lived off the earnings of prostitution as 'bullying wretches' and argued that 'brothel-keepers

⁷⁶ Ibid.

⁷⁷ Ibid.

⁷⁸ ECA, EBCR, case of Mary Watt, 8 March 1917.

⁷⁹ ECA, EBCR, case of Margaret Robertson, 30 December 1914.

⁸⁰ ECA, ED006/2/5 General Order 726, 2 May 1906.

⁸¹ Ibid.

deserved the severest penalties'.⁸² The Edinburgh police clearly seemed more concerned about arresting those living off the earnings of prostitution than the prostitutes themselves.

In Glasgow a similar picture emerges. Whilst there were several general orders that referred to prostitution, the vast majority were more concerned with 'pimps' and 'brothel-keepers' rather than with the women who importuned on the streets. For example, the general instruction book informed the police that:

the names and addresses of persons leaving pledges for or paying fines of prostitutes, or to whom messages are sent by prostitutes, detained on a charge of importuning, should be noted in the blotter opposite the case by the lieutenant on duty and communicated to the superintendent of the district in which such persons reside, to enable him to have them and their houses watched to ascertain whether they are keeping brothels or houses of accommodation, and, if male persons, whether they are living on the immoral earnings of the prostitutes concerned.⁸³

The Glasgow Police were clearly keen to catch any third parties that were profiting from prostitution. Similarly, another General order informed the Glasgow police that they should 'keep a strict watch on the drivers of those vehicles which are on the streets for hire principally after nightfall', as the Chief Constable was concerned that these drivers provided prostitutes and their clients with transportation to the different locations where prostitution took place and, in some instances, acted as a location for the act of prostitution itself.⁸⁴ The police were also involved in the observation of public houses and other licensed premises that might have 'harboured' prostitutes. The 1903 Licensing (Scotland) Act stipulated that licence holders must not 'knowingly permit or suffer men or women of notoriously bad fame' to assemble on their premises.⁸⁵ The police therefore used these licensing laws to discourage a wide variety of third parties from profiting from prostitution.

Analysis of Importuning and Brothel-Keeping Statistics

This focus on policing brothel-keepers and those who lived off immoral earnings, rather than the prostitutes themselves, is one possible reason why the number of prosecutions for importuning declined so drastically after the First World War. Table

⁸² Merrilees, *The Short Arm of the Law*, pp. 65-68.

⁸³ GCA, SR22/60/13 City of Glasgow Instruction Book 1923, p. 357.

⁸⁴ ECA, ED600/2/5 General Order 237.

⁸⁵ GCA, SR22/60/13 City of Glasgow Instruction Book 1923, p. 186.

3.1 shows that, whereas in 1908 there had been 3,192 proceedings against women for soliciting offences in Scotland, by 1918 there were only 460. The First World War may partially account for this reduction in numbers during 1914-1918, especially for the years 1916-1918, which had significantly fewer convictions. Even though prostitution was thought to have increased during the war, it is fair to assume that during this period the police were occupied with duties more pressing to the war effort than arresting prostitutes.⁸⁶ This dramatic decrease may therefore only represent a temporary relaxation in the enforcement of the solicitation laws.

It is also possible that arrests were made under new wartime legislation such as the Defence of the Realm Act (DORA) regulation 13a and later 40D.⁸⁷ These Acts regulated where prostitutes could go and made it an offence for a woman who was infected with a venereal disease to have sex with a member of the armed forces. However, Julia Laite has shown that, in actuality, these laws did not result in a large number of arrests.⁸⁸ Additionally, particular concern was directed towards young women who engaged in promiscuous sex with soldiers due to fears of 'khaki fever' which was apparently caused by their patriotic attraction towards men in uniform.⁸⁹ Although they were not actually engaging in acts of paid prostitution, they were labelled as 'amateur prostitutes' due to a lack of an appropriate term for these promiscuous women. Unlike 'professional prostitutes', these women were thought to lack experience and were therefore considered more likely to spread venereal disease to unsuspecting soldiers. Therefore, particular attention was paid to controlling these young women, with organisations such as the National Vigilance Association of Scotland setting up 'Women Patrols' in order to discourage this promiscuous activity. These patrols will be discussed further in the next chapter; however, it is probable that this attention towards 'amateurs' may have distracted from the policing

⁸⁶ Lucy Bland, 'In the Name of Protection: The Policing of Women in the First World War', in Julia Brophy and Carol Smart (eds), *Women in Law: Explorations in Law, Family and Sexuality* (London: Routledge and Kegan Paul, 1985), pp. 23-49.

⁸⁷ Lesley Hall, 'War Always Brings it on': War, STD's, the Military, and the Civilian Population in Britain, 1850-1950', in Roger Cooter, Mark Harrison, and Steve Sturdy (eds), *Medicine and Modern Warfare* (Amsterdam: Atlanta, 2000).

⁸⁸ Julia Laite, *Prostitution in London 1885-1930* PhD thesis (Cambridge University, 2008), p. 200.

⁸⁹ See, for example, Angela Woollacott "'Khaki Fever" and its Control: Gender, Class, Age and Sexual Morality on the British Home front in the First World War', *Journal of Contemporary History*, 29 (1994) pp. 325-347.

of 'professional' prostitutes outside of the military areas covered by the DORA legislation.

After the war ended there was a slight increase in prosecutions, with 635 in 1919 and 803 in 1920. However, the numbers did not return to the high levels found before the First World War. During the 1920s and 1930s there were several fluctuations in the number of prosecutions, but over the long term the numbers continued to fall gradually, so that by 1939 the number had reached just 141.

TABLE XVI

STREET OFFENCES

Table showing the number of prosecutions and convictions under section 381 (22) of the Burgh Police (Scotland) Act, 1892, and similar provisions in local Acts, during the fifty years ended 31st December, 1955

Year	No. proceeded against	No. of charges proved	Year	No. proceeded against	No. of charges proved
1906	2,757	2,544	1931	452	420
1907	2,997	2,790	1932	325	309
1908	3,192	2,989	1933	349	319
1909	2,969	2,750	1934	281	265
1910	2,870	2,496	1935	286	267
1911	2,485	2,219	1936	336	322
1912	2,487	2,147	1937	312	293
1913	1,884	1,642	1938	238	229
1914	1,696	1,481	1939	141	132
1915	1,328	1,141	1940	41	36
1916	956	812	1941	43	41
1917	580	470	1942	138	129
1918	460	389	1943	268	255
1919	635	515	1944	328	302
1920	803	641	1945	254	240
1921	686	589	1946	141	135
1922	648	585	1947	105	95
1923	837	807	1948	103	94
1924	608	558	1949	91	86
1925	425	387	1950	82	76
1926	544	476	1951	72	71
1927	472	413	1952	95	91
1928	480	438	1953	136	126
1929	439	402	1954	168	160
1930	394	362	1955	202	201

Table 3.1. Prosecutions and Convictions for Importuning Offences in Scotland 1906 – 1955.
Source: Wolfenden Committee Report, 1957.

A similar pattern can be seen if we compare police statistics for the individual cities of Edinburgh and Glasgow. Table 3.2 shows that in Edinburgh, during 1900 there were 569 prosecutions for importuning, but just one year later there were only 129, and in 1902 this decreased to 68 prosecutions. The number then began to increase, with 133 convictions in 1903 and 304 in 1904, and thereafter the number rose dramatically so that by 1910 there were 1,020 prosecutions for importuning. In 1911 this declined slightly to 773, and thereafter the numbers continued to drop so that by

1918 they were as low as 190. This again suggests that the First World War played a role in reducing the number of prosecutions. As with the national statistics, there was a slight rise at the start of the 1920s, but this did not last long. By 1922 the numbers again began to fall and remained low throughout the 1920s. During the 1930s the number of prosecutions fluctuated, with slight increases in 1936 and 1937, but generally the numbers remained within a low range, so that by 1939 there were just 155 prosecutions.

Year	No. Importuning Prosecutions
1900	569
1901	129
1902	68
1903	133
1904	304
1905	847
1906	818
1907	560
1908	590
1909	-
1910	1020
1911	773
1912	685
1913	590
1914	-
1915	-
1916	-
1917	278
1918	190
1919	-
1920	419
1921	302
1922	140
1923	128
1924	106
1925	117
1926	113
1927	129
1928	146
1929	100
1930	122
1931	-
1932	167
1933	-
1934	-
1935	156
1936	236
1937	239
1938	218
1939	155
1940	32

Table 3.2: Number of Prosecutions for Importuning Offences in Edinburgh.
Source: ECA, Edinburgh Police Annual Reports, 1900-1940.

In Glasgow the prosecution statistics show a similar pattern. During the late nineteenth and early twentieth centuries the number of women brought before the court for importuning offences was relatively high. Table 3.4 demonstrates that the

figures remained above 2,000 until 1905 when they started to decline slightly. In 1907 and 1908 the figures again reached over 2,000. The data from 1909 and 1910 are missing, however, by 1911 the figure had declined to 1,309. As with the statistics for Edinburgh and the rest of Scotland, the importuning prosecutions sharply declined during the war years. Similar to Edinburgh, there was a slight increase during the 1920s followed by a decrease during the 1930s. Furthermore, figure 3.1 demonstrates that Edinburgh and Glasgow account for the vast majority of solicitation that were prosecuted against under the 1892 Burgh Police Act across the whole of Scotland.

Year	No. of Prostitutes Before Court
1892	1,915
1893	-
1894	2,750
1895	2,149
1896	2,440
1897	2,202
1898	2,122
1899	2,098
1900	2,331
1901	2,640
1902	2,797
1903	2,339
1904	2,247
1905	1,812
1906	1,624
1907	2,149
1908	2,168
1909	-
1910	-
1911	1,309
1912	1,339
1913	897
1914	848
1915	610
1916	477
1917	213
1918	228
1919	267
1920	280
1921	318
1922	441
1923	649
1924	429
1925	271
1926	401
1927	320
1928	312
1929	326
1930	230
1931	224
1932	183
1933	199

Table 3.3: Number of Prostitutes before the Court in Glasgow.

Source: GCA, DTC 7/19/1, Glasgow Police Annual Reports 1892-1933.

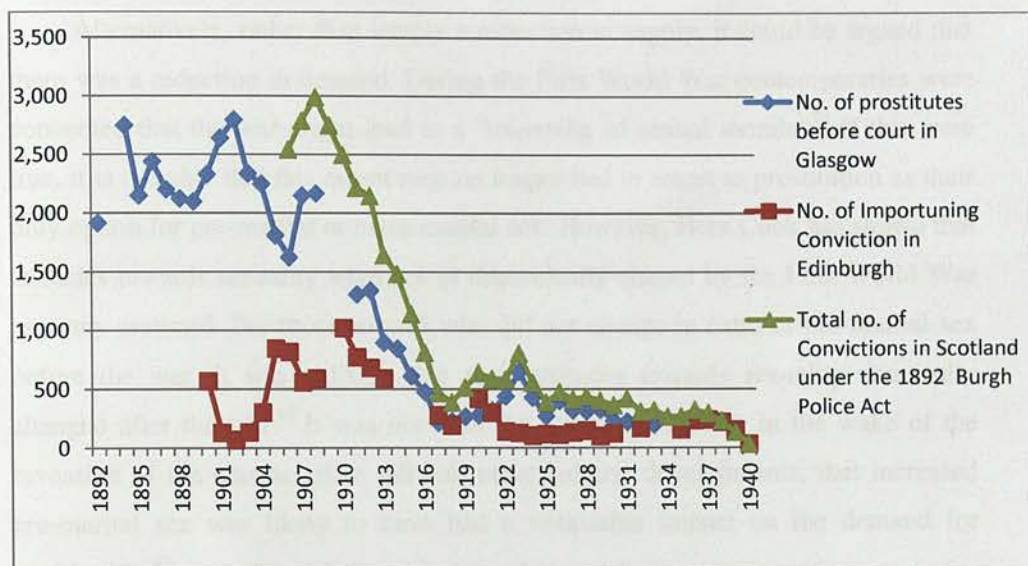


Figure 3.1: Comparison of National Solicitation offences Statistics with Edinburgh and Glasgow.
Source: Wolfenden Committee Report, 1957; ECA, Edinburgh Police Annual Reports, 1900-1940; GCA, DTC 7/19/1, Glasgow Police Annual Reports 1892-1933.

The overall pattern, therefore, is a decline in the number of prosecutions and convictions for importuning offences during the first half of the twentieth century in Scotland. There are several possible reasons for this trend. On the one hand, the statistics may reflect a more general reduction in the number of women engaging in prostitution. As average wages for women increased during the early twentieth century and a wider variety of better paid jobs started to become available, it is possible that this reduced the number of women forced to resort to prostitution out of economic necessity. However, to overemphasise the improvement in the majority of women's economic situations during this period would be misleading. Although there were some wage increases and real gains in the number of white collar and other higher-paid skilled jobs for women (particularly during the First World War), these opportunities primarily benefited middle-class women or included jobs which were given back to men once the war was over.⁹⁰

⁹⁰ For further discussion about women's employment see, for example, Arnot *et al* (eds), *The Changing Experience of Women* (Oxford: Robertson, 1982); Ina Zweiniger-Bargielowska, *Women in Twentieth-Century Britain* (Harlow: Longman, 2001); Gail Braybon (ed.), *Evidence, History and the Great War: Historians and the Impact of 1914-18* (Oxford: Berghahn Books, 2003); Gail Braybon, *Out of the Cage: Women's Experiences in Two World Wars* (London: Pandora Press, 1987).

Alternatively, rather than simply a reduction in supply, it could be argued that there was a reduction in demand. During the First World War contemporaries were concerned that the war might lead to a 'loosening of sexual morals'.⁹¹ If this were true, it is possible that this meant men no longer had to resort to prostitution as their only option for pre-marital or extra-marital sex. However, Hera Cook has shown that attitudes towards sexuality were not as dramatically altered by the First World War as many assumed. For those women who did not engage in extra or pre-marital sex before the war, it was unlikely that their attitudes towards sexuality drastically changed after the war.⁹² It was not until the 1960s and 1970s, in the wake of the invention of the contraceptive pill and other cultural developments, that increased pre-marital sex was likely to have had a noticeable impact on the demand for prostitution.⁹³

It is difficult to know with any accuracy the number of prostitutes who were working in Edinburgh and Glasgow during this period. The only reliable documents available are the police statistics, but they only quantify the number of offenders that were 'caught' and do not identify whether several offences were committed by the same woman. For example, whilst in Edinburgh in 1910 there were 1,020 arrests for importuning, the Edinburgh Police Chief Constable informed the inspector and Clerk of the Glasgow Parish Council that this actually only represented roughly 430 women.⁹⁴ Therefore, the arrest and conviction statistics relating to the number of offences may exaggerate the number of individual women involved in prostitution.

On the other hand, as with all criminal statistics, the 'dark figure' of unknown 'crime' remains problematic to quantify. Many of the women who used more clandestine methods never came to the attention of the police, and when examining the Burgh Court Records it becomes clear that the prosecution statistics only represent a small fraction of the actual number of prostitutes who were soliciting on the streets. For example, the witness reports describe many other women who the police thought might be prostitutes, but who were not cautioned or arrested because there was insufficient proof. Moreover, the police cautioning system (described

⁹¹ Susan Grayzel, *Women and the First World War* (Harlow: Longman, 2002).

⁹² Hera Cook, *The Long Sexual Revolution* (Oxford: Oxford University Press, 2004).

⁹³ Ibid.

⁹⁴ GCA, T. PAR 1.16, *Memorandum on the Social Evil in Glasgow*, p. 20.

above) meant that only those women who were caught and cautioned three times were sent to court. The women, therefore, had many chances to avoid arrest, and, as will be explored further in chapter six, they often manipulated this system so that they could evade arrest.

The introduction of probation in 1907 also reduced the number of women sent to court and consequently to gaol.⁹⁵ It is clear that the police and magistrates were increasingly willing to work with voluntary organisations to deter women from re-offending via informal and formal methods. The reduction in numbers could also, therefore, be in part due to the success of this policy, as more women were helped to find ways out of prostitution. Alternatively, by sending women to these organisations rather than arresting them, the actual number of prosecutions may have fallen without the actual number of women engaged in prostitution having decreased. The role of these voluntary organisations will be explored further in chapter four.

Julia Laite has argued that in London, park regulations, licencing acts and 'breach of the peace' were increasingly used to police prostitution.⁹⁶ Therefore, whilst official solicitation statistics in London declined, Laite suggests that the use of acts and regulations other than specific solicitation legislation, masked the true number of women who were being arrested. However, although similar licencing acts and park regulations were also used in Edinburgh and Glasgow, the police and court records do not show any increase in the use of these types of laws and regulations for the purposes of arresting prostitutes and there is no indication that they were being used instead of the Burgh Police Act or the other local soliciting by-laws. Considering that Scottish legislation did not require proof that solicitation had caused annoyance (a clause in the English law that had the potential to hinder the successful prosecution of solicitation offences), it is fair to assume that there was little need to arrest women using other acts when the relevant solicitation legislation was adequate.

The decisions of the magistrates were also important in determining the policing of prostitution. Importuning offences were heard at the Burgh Court, and the

⁹⁵ For further discussion on probation as a penal-welfare strategy see, David Garland, *Punishment and Welfare: a History of Penal Strategies* (Aldershot: Gower, 1985).

⁹⁶ Julia Laite, *Common Prostitutes and Ordinary Citizens: Commercial Sex in London, 1885-1960* (Basingstoke: Palgrave Macmillan, 2012).

magistrate was limited to the punishment they could give according to the Burgh Police Act (40 shillings fine or 60 days prison sentence in default of payment) and the local by-laws that were enacted in each city.⁹⁷ In Edinburgh the Edinburgh Municipal and Police Act 1879 meant that the Burgh Court magistrate could award a fine of up to £10. If the fine was not paid, the woman could be sent to prison for a period of up to 60 days.⁹⁸ In Glasgow, the 1892 Glasgow Police (Further Powers) Act meant that women could be fined up to 40 shillings and sentenced to prison for a period no longer than 60 days in default of payment.⁹⁹ However, figures 3.2, 3.3 and 3.4 show that although the Edinburgh magistrates could potentially charge up to £10 or give a prison sentence of up to 60 days, the most common sentence was actually 40 shillings or 20 days.

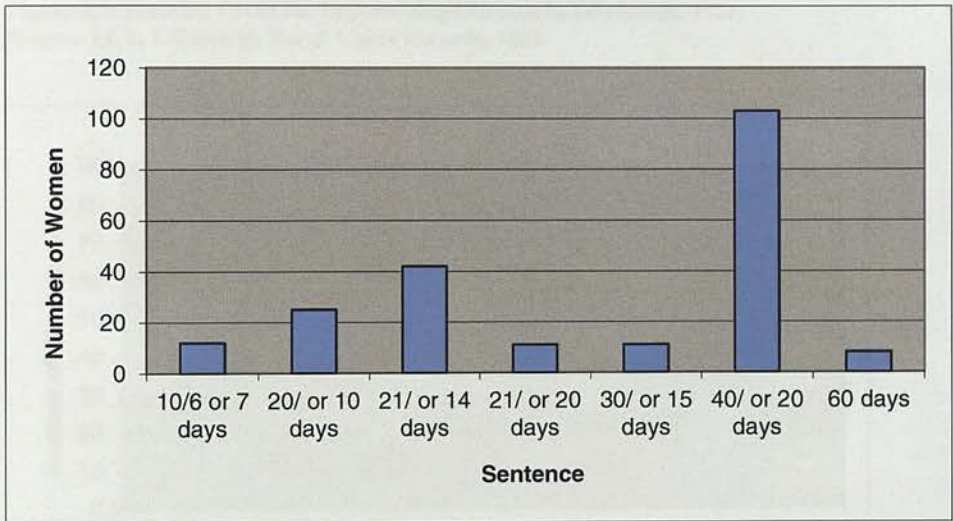


Figure 3.2: Sentence Given for Importuning Offences in Edinburgh, 1911.
Source: ECA, Edinburgh Burgh Court Records, 1911.

⁹⁷ Burgh Police (Scotland) Act 1892 (55&56 Vict. c. 55).

⁹⁸ Edinburgh Municipal and Police Act 1879 (42&43 Vict. c. cxxxii).

⁹⁹ Glasgow Police (Further Powers) Act 1892 (55&56 Vict. c. 165).

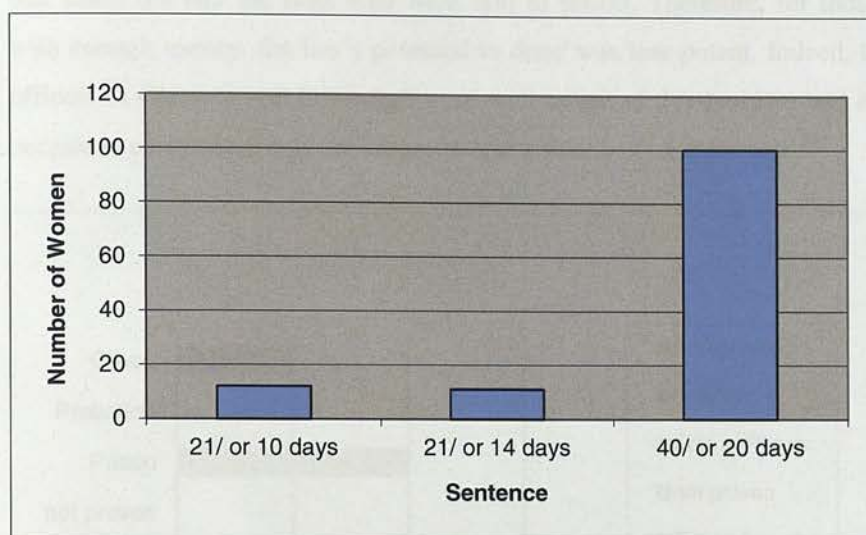


Figure 3.3: Sentence Given for Importuning Offences in Edinburgh, 1921.
Source: ECA, Edinburgh Burgh Court Records, 1921.

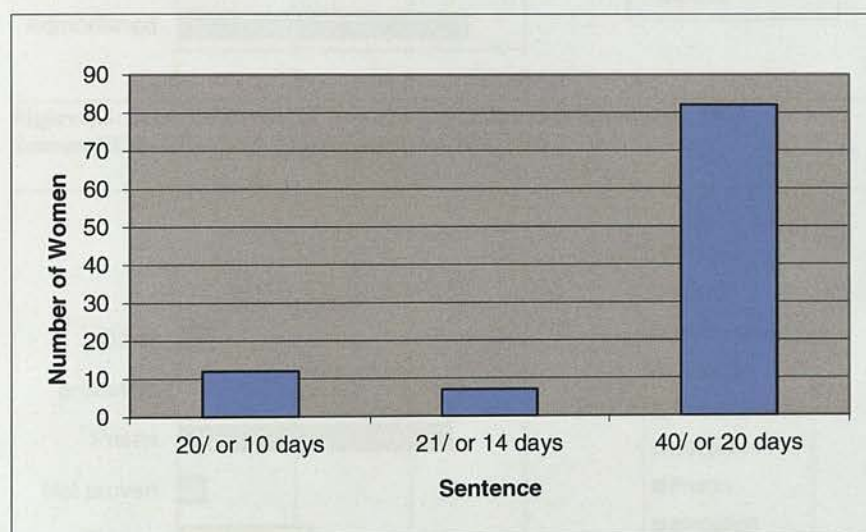


Figure 3.4: Sentence Given for Importuning Offences in Edinburgh, 1931.
Source: ECA, Edinburgh Burgh Court Records, 1931.

Figures 3.5, 3.6, 3.7 and 3.8 show that a wide range of different sentences were handed out by the Edinburgh magistrates. Whilst many women were sent to prison for short periods of up to twenty days, several others were admonished, fined or put on probation. By 1931 the percentage of women in Edinburgh who were sent to prison for importuning offences declined and the amount of women fined consequently increased. This suggests that by 1931 it was only the poorest women

that could not pay the fines who were sent to prison. Therefore, for those women with enough money, the law's potential to deter was less potent. Indeed, the police officers in Glasgow and Edinburgh were well aware of this problem and on several occasions complained that 'the imposition of a fine is not a deterrent.'¹⁰⁰

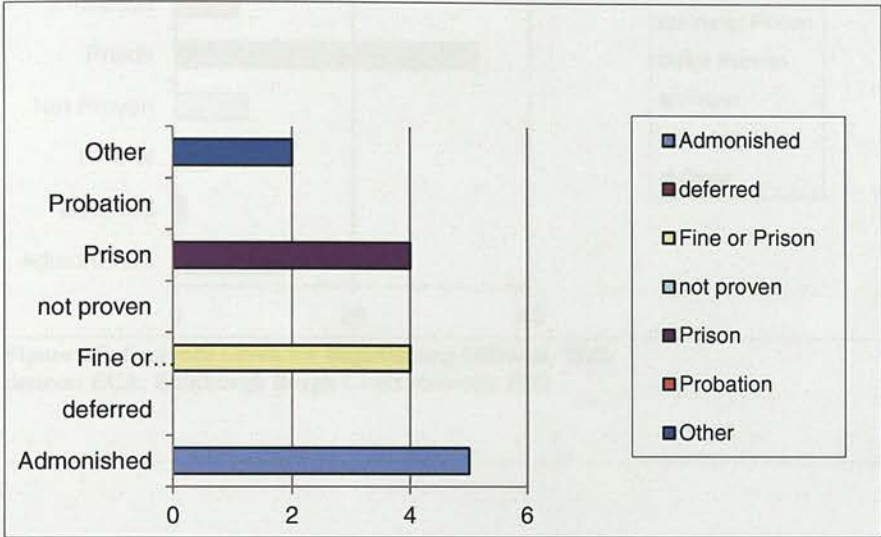


Figure 3.5: Sentence Given for Importuning Offences in Edinburgh, 1903.
Source: ECA, Edinburgh Burgh Court Records, 1903.

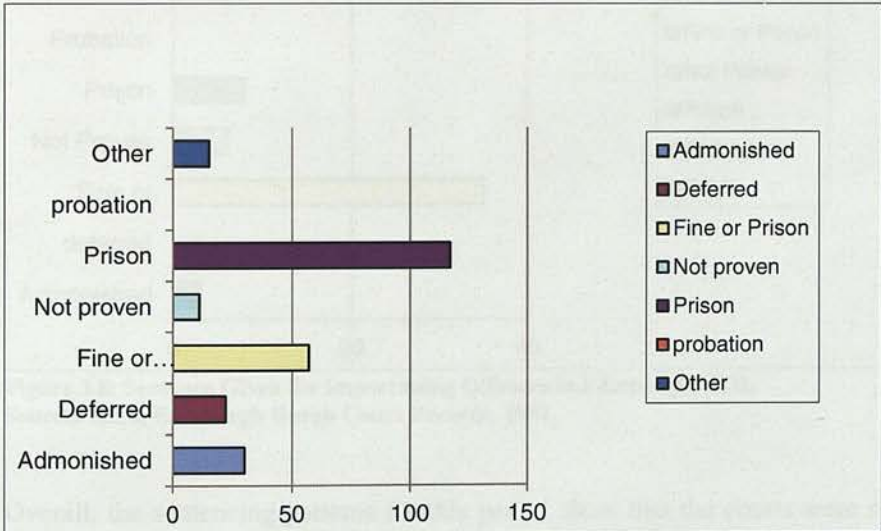


Figure 3.6: Sentence Given for Importuning Offences in Edinburgh 1911.
Source: ECA, Edinburgh Burgh Court Records, 1911.

¹⁰⁰ GCA, DTC 7/19/1, Glasgow Police Annual Report, 1920.

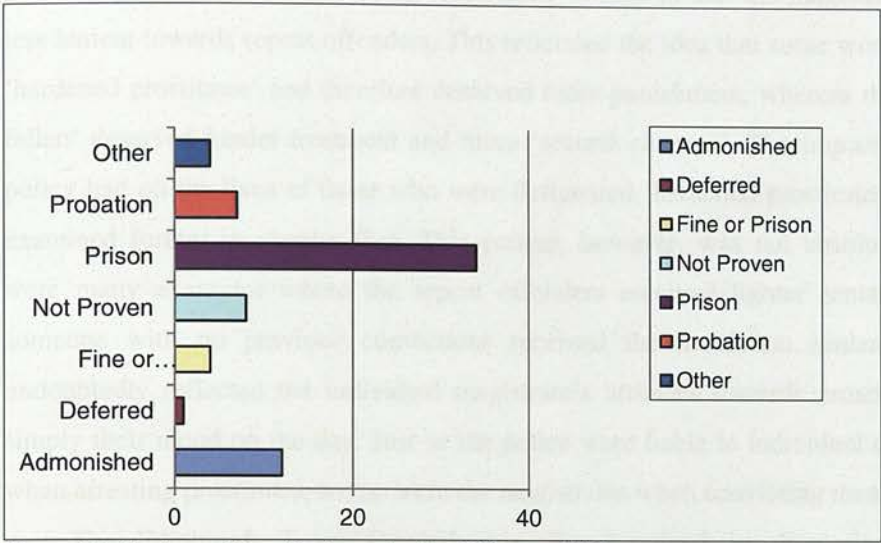


Figure 3.7: Sentence Given for Importuning Offences, 1921.
Source: ECA, Edinburgh Burgh Court Records, 1921

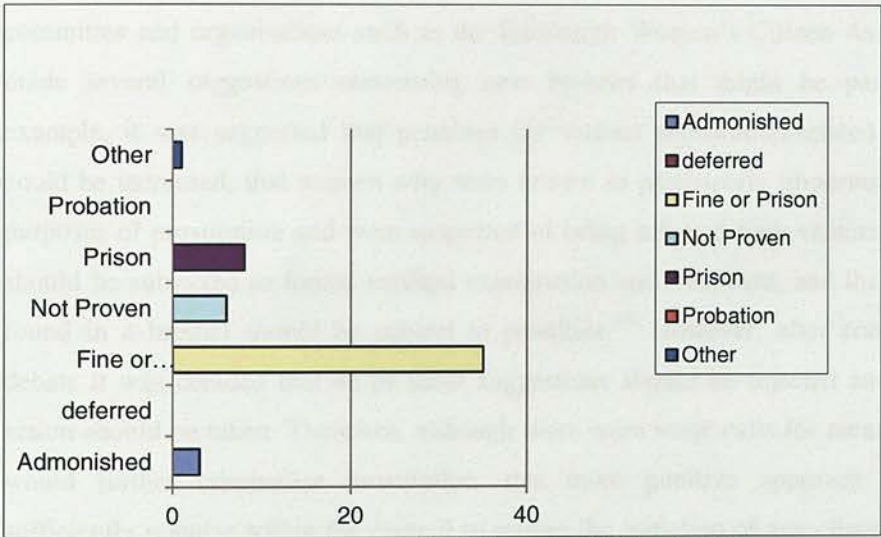


Figure 3.8: Sentence Given for Importuning Offences in Edinburgh, 1931.
Source: ECA, Edinburgh Burgh Court Records, 1931.

Overall, the sentencing patterns for this period show that the courts were not overly harsh towards the women. The majority of the women did not receive the full sentence possible, and there appears to have been a sliding scale of punishment. The more frequently a woman was convicted, the higher her fine would be, until eventually she would continue to receive the highest fine possible. The sentencing

patterns therefore echoed the police cautioning system in that the magistrates were less lenient towards repeat offenders. This reiterated the idea that some women were 'hardened prostitutes' and therefore deserved more punishment, whereas the 'newly fallen' deserved kinder treatment and more 'second chances'. The impact that this policy had on the lives of those who were designated 'hardened prostitutes' will be examined further in chapter five. This pattern, however, was not absolute. There were many examples where the repeat offenders received lighter sentences and someone with no previous convictions received the maximum sentence. This undoubtedly reflected the individual magistrate's attitudes towards prostitution or simply their mood on the day. Just as the police were liable to individual discretion when arresting prostitutes, so too were the magistrates when convicting them.

The Edinburgh Town Council was also involved in discussions about prostitution legislation and in 1922 set up a Provost's Committee to look into the issue. The councillors on the committee, in conjunction with the magistrates committee and organisations such as the Edinburgh Women's Citizen Association, made several suggestions concerning new by-laws that might be passed. For example, it was suggested that penalties for various prostitution-related offences could be increased, that women who were known to persistently importune for the purposes of prostitution and were suspected of being infected with venereal disease should be subjected to forced medical examination and treatment, and that persons found in a brothel should be subject to penalties.¹⁰¹ However, after considerable debate it was decided that all of these suggestions should be rejected and that no action should be taken. Therefore, although there were some calls for measures that would further criminalise prostitution, this more punitive approach was not sufficiently popular within the council to pursue the initiation of any changes to the local by-laws.¹⁰²

Chapter two has shown that the women who solicited on the street, in both Edinburgh and Glasgow, often did so in the very centre of the city. This suggests that these women did not feel so intimidated by the police that they felt it absolutely necessary to use other, less visible locations, to ensure that they were not arrested.

¹⁰¹ TWL, 3AMS/B/04/02 Solicitation laws in Scotland 1892-1955, Minutes of the Edinburgh Town Council, 2 February 1922, pp. 1-2.

¹⁰² Ibid.

Whilst it is possible that some women risked soliciting on the street because they did not have access to other indoor methods of prostitution, it could also be argued that the economic benefits gained from working on the busy streets in the city centre may have outweighed their concern over the increased risk of apprehension by the police. Street solicitation may well have been preferable for some women because it meant that they were less susceptible to exploitation by third parties than those women who worked in brothels or other clandestine establishments.

Nonetheless, Laite argues that in London the increased criminalisation of brothels not only effected brothel-keepers, but also had a detrimental effect on the women who had previously used these premises. As brothels were increasingly targeted by the police, the women were consequently forced to engage in other, more risky, types of clandestine solicitation or turn to pimps for protection. In the 1930 Glasgow Police Annual Report, Chief Constable Andrew Donnan Smith warned the reader that 'comparing the figures with those of a number of years ago, one would say that immorality has almost disappeared. Unfortunately, statistics cannot be relied upon to prove this.'¹⁰³ Smith argued that prostitution was instead taking different forms, making it less visible and harder to police. Therefore, as was the case in London, women in Edinburgh and Glasgow were also turning to more clandestine methods of prostitution. However, chapter six demonstrates that the new clandestine methods were not necessarily more dangerous or exploitative than previous methods of indoor or outdoor prostitution

Laite further argues that the legal definition of brothels as places where more than one woman resides for the purposes of prostitution, meant that the police's 'crack-down' on brothels discouraged women from working together indoors. Moreover, as landlords became more reluctant to rent rooms to single women, 'bullies' exploited this situation by offering to act as their husband. The negative impact of these laws also affected women in Edinburgh and Glasgow, and chapter five further explores the dangers that were associated with working alone under the control of an aggressive pimp. However, this was only one of the ways that women responded to the closure of brothels and not all of the women who worked alone in

¹⁰³ GCA, DTC 7/19/1 Glasgow Police Annual Report, 1930.

flats were controlled by pimps. Moreover, although the police may have wanted to close brothels, in practice they were not always capable of achieving this.

The conviction statistics for brothel-keeping in Edinburgh and Glasgow show that the police were not particularly successful. Table 3.4 shows that in Edinburgh the number of brothel-keeping convictions per year rarely exceeded ten and peaked at eleven in 1900 and 1920. Figure 3.9 shows that there were more prosecutions in Glasgow, although Glasgow’s larger population may account for this discrepancy.

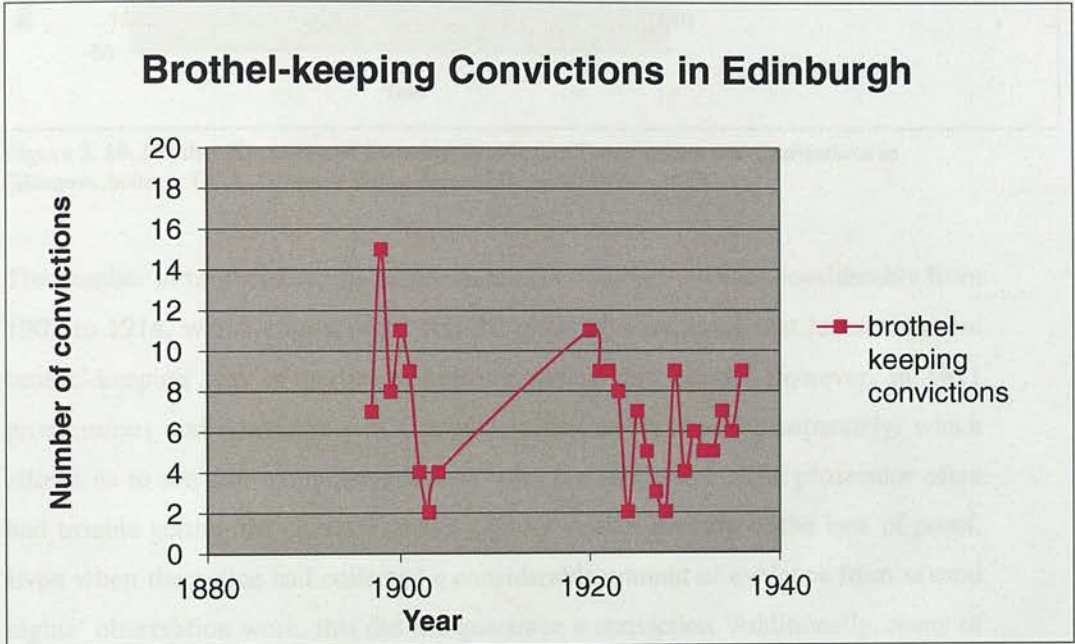


Figure 3.9: Brothel Convictions in Edinburgh.
Source: ECA, Edinburgh Burgh Court Records, 1897 – 1936.

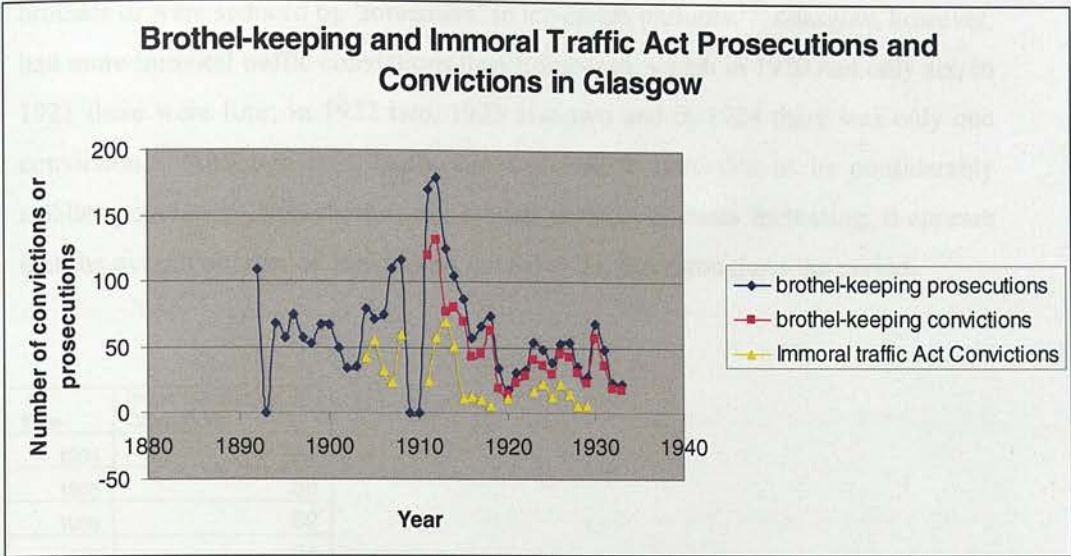


Figure 3. 10: Brothel-Keeping and Immoral Traffic Act Prosecutions and Convictions in Glasgow. Source: GCA, Glasgow Police Annual Reports, 1892 – 1933.

The number of brothel-keeping prosecutions in Glasgow increased considerably from 1907 to 1914, which corresponds with the qualitative evidence that has shown that brothel-keeping was of particular concern during this period. However, in 1911 prosecutions and convictions in Glasgow started to be recorded separately, which allows us to see that many prosecutions were not successful. The prosecutor often had trouble getting the courts to make a guilty verdict because of the lack of proof. Even when the police had collected a considerable amount of evidence from several nights’ observation work, this did not guarantee a conviction. Additionally, many of the brothel cases were not brought to court in the first place due to the Procurator Fiscal’s decision that there was insufficient evidence to bring the case to court.

This was equally true in relation to Immoral Traffic Act cases. However, attempts to arrest bullies who lived off the immoral earnings of prostitution were slightly more successful. Table 3.5 shows that in Glasgow there were a considerable number of immoral traffic convictions in particular years such as 1912, 1913 and 1914. This rise was perhaps partially in response to a report that had been published in 1911 by the Glasgow Parish Council entitled ‘Memorandum on the Social Evil in Glasgow’, which gave lurid and sensationalist accounts of the prostitution that was occurring in Glasgow, in particular the dangers faced by young girls who worked in

brothels or were seduced by ‘foreigners’ in ice-cream parlours.¹⁰⁴ Glasgow, however, had more immoral traffic convictions than Edinburgh, which in 1920 had only six, in 1921 there were four, in 1922 two, 1923 also two and in 1924 there was only one conviction.¹⁰⁵ Although it is likely that this was in part, due to its considerably smaller population. Nonetheless, rather than prosecution rates increasing, it appears that the overall number of convictions tended to decline throughout the period.

Year	Immoral traffic Act Convictions
1904	42
1905	55
1906	32
1907	24
1908	60
1909	-
1910	-
1911	25
1912	57
1913	69
1914	51
1915	11
1916	12
1917	10
1918	6
1919	-
1920	11
1921	-
1922	-
1923	17
1924	22
1925	13
1926	22
1927	15
1928	6
1929	6

Table 3.4: Immoral Traffic Convictions in Glasgow.
Source: GCA, DTC 7/19/1 the Glasgow Police Annual Reports, 1904-1929.

¹⁰⁴ GCA, T. PAR 1.16, *Memorandum on the Social Evil in Glasgow, 1911.*

¹⁰⁵ ECA, ED6/1/8 1920- 1929, Edinburgh Police Return of Crimes.

In 1920 Chief Constable Stevenson explained that this was due to the difficulties the police faced. Stevenson complained about how men who lived off the immoral earnings of their 'paramours' could 'move about with impunity, can change their venue from one part of the city to another, or from city to city as they get known to the police, and the police cannot interfere with them until they have committed a crime for which proof can be found'.¹⁰⁶ Similarly, in 1928 Chief Constable Smith made a statement describing how 'the police are often handicapped in their endeavours to bring these people to justice by the refusal of girls to give evidence.'¹⁰⁷

This sentiment was felt throughout Glasgow, and there was consensus that the Immoral Traffic Act needed to be strengthened. For example, in 1911 Stevenson described how 'the corporation of Glasgow, acting in conjunction with the other municipalities in Scotland, is endeavouring to have the Immoral Traffic Act amended and strengthened'.¹⁰⁸ In 1922 Chief Constable Smith stated that living off the earnings of prostitution was a 'most reprehensible crime, and in addition to imprisonment, offenders should be whipped.'¹⁰⁹ Therefore, whilst the police certainly wanted to target 'bullies' and sought more powers to do so, they were not always successful.

Conclusion

After examining the attitudes of the police towards prostitution and the methods that they used to police both outdoor and indoor forms of prostitution, it is clear that the police in Edinburgh and Glasgow followed a similar approach. Whilst many officers sympathised with the difficult economic and social factors that led some women to enter prostitution, they did not offer a compassionate approach towards all prostitutes. The police in both cities made a clear distinction between the 'victims' who needed saving and the 'hardened prostitutes' who were a public nuisance. This attitude mirrored a wider public sentiment that a distinction could be made between 'fallen women' and the 'habitual criminal'. The cautioning system that was developed in Edinburgh and Glasgow helped to realise this distinction due to the

¹⁰⁶ GCA, DTC 7/19/1 Glasgow Police Annual Report, 1920.

¹⁰⁷ GCA, DTC 7/19/1 Glasgow Police Annual Report, 1928.

¹⁰⁸ GCA, DTC 7/19/1 Glasgow Police Annual Report, 1911.

¹⁰⁹ GCA, DTC 7/19/1 Glasgow Police Annual Report, 1922.

discretionary powers it gave the police to decide which women they would arrest and which they would try to help. Chapter Four will examine this connection further by exploring the ways in which increased co-operation between police and voluntary organisation was instrumental in shaping and advancing these perceptions.

The police in Edinburgh and Glasgow were not enthusiastic about policing street solicitation, and this was reflected in the decline in the number of importuning offences that were brought to court. Although street solicitation remained illegal, and the police continued to arrest small numbers of women, there was no 'crackdown' on street prostitution equivalent to that in London. Instead, the women continued to solicit in the very centre of Edinburgh and Glasgow, relatively unencumbered by the threat of police persecution. The police did, however, attempt to increase the criminalisation of brothel-keepers and other third parties who lived off the earnings of prostitution. In both cities the police viewed the exploitative activities of brothel-keepers and pimps as a more serious crime than prostitution itself and focussed their attentions accordingly. However, the difficulty in obtaining the necessary evidence for a successful prosecution considerably hindered their success, meaning that brothel and immoral traffic convictions remained low throughout the period. Consequently, it was unlikely that the new forms of clandestine prostitution which had begun to develop during this period were a direct result of increased criminalisation.

Chapter Four: Voluntary Organisations and the Probation Service

Introduction

This chapter examines how voluntary organisations, the police, the probation service and magistrates worked together to develop a new penal-welfare approach towards the regulation of prostitution. Rather than punishing all women who had been charged with prostitution-related offences with fines and prison sentences, magistrates increasingly opted to give women probation sentences instead. The chapter will examine the ways in which the development of the new probation service was closely linked with voluntary institutions such as the Magdalene Asylums, and how this collaboration shaped the probation service's methods of reforming women's inner 'character'. Whilst on the one hand a probation sentence meant that some women were spared a prison sentence, on the other hand, these women had their freedom restricted in different ways, and for periods that were potentially far longer than was allowed under legislation relating to prostitution offences. The decision as to whether a particular woman was more suitable for prison or probation was dependent on the opinions of the police, magistrates, probation officers, voluntary workers and other 'experts'. These 'experts' evaluated the 'character' of the women and categorised them depending on whether they considered them to be 'hardened prostitutes' or 'unfortunate girls'. Exactly where women fell on this scale of criminality depended on various factors, but it was ultimately based on a woman's ability to meet the 'experts' expectations of what constituted 'normal' feminine and sexual behaviour. Those women who failed to meet these standards were consequently considered 'hardened' or 'habitual criminals' and subsequently fined or sent to prison as punishment.

David Garland's research on the history of penal strategies has shown that the early twentieth century saw an increased connection between punishment and welfare.¹ The provision of welfare was not framed solely in terms of benevolence, but was part of a broader social objective of creating 'better' citizens. Consequently there was an increasing overlap between the provision of welfare and penal policies which aimed to control 'anti-social' behaviour. This overlap was in part achieved due

¹ David Garland, *Punishment and Welfare: A history of Penal Strategies* (Aldershot: Gower, 1985).

to the desire of voluntary philanthropic organisations to achieve professional status, thus making them more willing to work closely with penal bodies, such as the police and magistrates. At the same time the state was also keen to develop new ways to deal with problematic members of society without resorting to incarceration. The use of probation, reformatories and asylums therefore offered a new way of 'normalising and correcting' people's behaviour. This was particularly true for 'problematic' women who were trained by these organisations to adopt 'appropriate', 'normal', gender and class roles.²

This chapter will therefore examine both the daily activities of these organisations, and their overarching aims and intentions, in order to explore how their attitudes towards gender and sexuality during this period influenced the regulation of prostitution. The first section of this chapter will use the records of the Edinburgh Magdalene Asylum and the Glasgow Magdalene Institute to examine the extent to which these institutions continued to influence gender and class ideals in the early twentieth century, as indeed they had in the nineteenth century. The second section will examine how other voluntary organisations, such as the National Vigilance Association of Scotland (Eastern Division) and the Women Patrols worked together with the police and magistrates to shape the regulation of prostitution. Finally, the last section will examine the role that the newly developing probation service played in this system of regulation.

Rescuing 'Unfortunate Girls': A Case Study of the Magdalene Asylums in Edinburgh and Glasgow

The Edinburgh Magdalene Asylum was first opened in 1797 and was situated on the Canongate in the centre of the Old Town.³ Its founders intended that through good instruction, religious teaching, industrial training and hard work the asylum would rescue 'fallen women' and reform them into respectable members of society. In 1864 the asylum moved to the countryside to allow more seclusion and unpolluted space

² See, for example, Paula Bartley, *Prostitution, Prevention and Reform in England, 1860-1914* (London: Routledge, 2000); Lucia Zedner, *Women, Crime and Custody in Victorian England* (Oxford: Clarendon, 1991).

³ Linda Mahood, *The Magdalenes: Prostitution in the Nineteenth Century* (London: Routledge, 1990), p. 75.

for drying laundry.⁴ The Glasgow Magdalene Asylum opened in 1815 and, like its Edinburgh counterpart, it also intended to promote 'the repression of vice and the reformation of penitent women'.⁵ Unlike Edinburgh's asylum, Glasgow's asylum was located in the countryside throughout its existence. In 1841 the Glasgow Asylum merged with the new home for 'female juvenile delinquents' and was renamed the 'House of Refuge for Females'. This merger meant that the institute mainly catered for females who had recently left prison after serving sentences for offences such as theft and breach of the peace; however, one room remained specifically for the reformation of prostitutes. After twenty years of amalgamation, the directors decided that the criminal connotations that had become attached to the 'House of Refuge for Females' were harmful to the reputation of the Magdalenes. Although the Magdalenes were considered 'fallen women', they were not considered 'criminal' in the same sense as the women who had been recently released from prison for other offences. Therefore, the directors established a new institution solely for 'fallen women' and renamed it the Magdalene Institute.⁶ Rather than rescuing 'professional' prostitutes with long criminal records, the asylums were intended for young, 'newly fallen' women who were 'neither pregnant nor diseased'.⁷ It was hoped that those women who were 'truly repentant' would voluntarily enter the institution due to their genuine desire to be reformed. However, during the early twentieth century the police, magistrates and probation service increasingly used the asylums as alternative locations to send women who had been charged with prostitution offences.

The women were expected to stay in the institution for two years, and during this time they were to be reformed by hard work and discipline. This work often involved washing, sewing and other types of domestic chores. In Edinburgh the women were expected to work six and a half days per week and were only given six days of holiday per year.⁸ In neither institution were the women paid wages for their labour. The institutes had no state funding and so relied on charitable donations and the profits that were made from the women's laundry work. The Glasgow Institute

⁴ Ibid, p. 90.

⁵ Glasgow City Archives (hereafter GCA) T-PAR 1.6 p. 625, Glasgow Magdalene Institute Annual Report (hereafter GMIAR), 1906.

⁶ Mahood, *The Magdalenes* p. 76.

⁷ Ibid, p. 77.

⁸ ECA SL237/2/3 Edinburgh Magdalene Asylum Ladies Committee Minutes (hereafter EMALC), 29 October 1908.

justified this by explaining that the women 'do not receive wages, but they are lodged, boarded, clothed, taught and generally cared for.'⁹ In Edinburgh the women were given some of their earnings according to how productive and well-behaved they were perceived to be. In Glasgow the women instead received clothes on a similar basis. These systems were intended to encourage the women to appreciate the value of hard work, and, most importantly, to increase the overall productivity of the institutions.

In addition to work, prayer and education constituted an important part of their daily routines throughout the period. Both the Glasgow Institute and Edinburgh Asylum were based on religious principles, and the evangelical focus on spreading the word of Jesus by caring for and reforming individuals in a 'Christ like' manner was an important motivating factor behind the establishment of these institutions.¹⁰ For example, in a pamphlet that was written to describe the history of the 'development and origin of the Glasgow Magdalene Institute', the directors explained how 'the origin of this new institution was the outcome of a widespread wave of religious revival'.¹¹ Christianity played a central role in the institutions and it was hoped that through regular church attendance, religious instruction and Bible reading, the women would repent their sins and learn how to live virtuously. The committee members' meetings also incorporated religious observance by beginning each meeting with a prayer and setting up 'evangelical meetings'.¹² In addition to religious education, some secular education was also provided. For example, the Edinburgh Magdalene Asylum's minutes include many descriptions of the secular education that regularly took place throughout the whole period, such as geography, maths and music.¹³ In Glasgow one hour per day was dedicated to teaching literacy so that every inmate could read the Bible. Once this was accomplished, the women were given their own Bibles.

Washing Away their Sins: Incorporating 'Fallen Women' Back into the Domestic Sphere

⁹ GCA Y-PAR 1.31 p. 913, GMIAR, 1919.

¹⁰ Ibid, p. 4.

¹¹ GCA, PA11/2/8 *The Origins and Development of the Glasgow Magdalene Institute*, Glasgow, 1905.

¹² ECA, SL237/2/3 EMALC; ECA, T-PAR 1.6, p. 625, GMIAR 1906, p. 9.

¹³ ECA, SL237/2/3 EMALC, 1900-1937.

Linda Mahood's research on the Glasgow Magdalene Institute during the nineteenth century suggests that the daily routines of hard work, religious instruction and education were intended to help reform women according to middle-class notions of respectable feminine behaviour. An important aspect of this was the notion that women belonged in the domestic sphere. However, being in the 'domestic sphere' had different connotations for working-class women than it did for the middle classes. As we shall see, the majority of the women who entered the Magdalene Asylum were from working-class backgrounds, and therefore domestic sphere ideology was incorporated into the type of work and training that they were expected to undertake at the Institute, such as, sewing, laundry and other domestic tasks.

The committee minutes for both the Glasgow and Edinburgh Magdalene homes during the early twentieth century suggest that domestic labour, particularly laundry, remained the main form of work and training. For example, in 1907 the Glasgow Magdalene's annual report described how the committee members were 'especially grateful to the friends who favoured the laundries with their washing, without which their labours would be in vain, as the moral and physical training of the inmates can only be accomplished by steady employment'.¹⁴ Similarly, in 1905 the Edinburgh minutes described how the home should be open to 'girls' who were willing to be taught 'household duties' which would make them 'more eligible for domestic service'.¹⁵ Not only would teaching the women skills in domestic work help them find employment, the training of new domestic servants would help to solve the 'servants problem' that was developing during this period due to the increasing number of women who were becoming more reluctant to enter domestic service in light of new employment opportunities elsewhere.¹⁶

The Glasgow annual reports often included a list of all the prices they charged for particular items of laundry to be washed. The institution was clearly eager to encourage new patrons, and the annual reports offered a good place for advertising their services.¹⁷ Not only were their prices intended to be competitive; it was hoped that the emotive rhetoric they used to describe their mission to 'save fallen women'

¹⁴ GCA, T-PAR 1.16 p. 721, GMIAR, 1907, p. 10.

¹⁵ ECA, SL237/2/3 EMALC, 13 October 1905.

¹⁶ See, for example, Leonore Davidoff, 'Mastered for Life: Servant and Wife in Victorian and Edwardian England', *Journal of Social History*, 7, 4 (1974) pp. 406-428.

¹⁷ GCA, T-PAR 1.16 p. 721, GMIAR, 1907, p. 26.

would encourage people to use their service rather than competing commercial laundries. For example, in 1910 and 1913 the reports assured their readers that 'the directors are grateful to those who helped them over the "idle time" by sending their work to the laundry', and that 'steady and regular employment is...essential to the training of all who come'.¹⁸ In 1919 the annual report again described how laundry work was important to the 'inmates' because it taught them 'a skilled employment by the exercise of which they become able to earn a living in a respectable way'.¹⁹

The importance of the laundry as a source of income for the home can be seen in the institutes' financial accounts throughout the period. For example, in 1909 the 'earnings from inmates' made up forty-two per cent of the Glasgow Magdalene Institute's annual income.²⁰ Consequently, the institution was keen to ensure that they made the highest possible profits from the inmates' work and continued to enlarge and modernise their laundry facilities. In 1886 the laundry was 'enlarged and fitted with a new steam engine and boiler, and with washing and calendaring machines',²¹ and in 1909 they 'reorganise[ed] the Lochburn laundry, ma[de] certain improvements, and put down additional plant'.²² In 1910 'two new washing machines of the latest type ... superseded those formerly in use'.²³ The 1916 report also described how 'the directors have in view the necessity of remodelling the washing house and laundry in order to enable more efficient work to be turned out, and to meet the competition of modern and highly organized laundries'.²⁴

It was not only whilst they resided in the institute that the women were expected to conform to the domestic ideal. After two years in the asylum, it was expected that the women would be fully reformed and equipped with the necessary skills to enable them to find employment. The training they had received, however, meant that they were primarily qualified only for domestic service or similar jobs, such as washing or sewing. For example, in 1907 the Glasgow Institute's annual report described how 'classes for cooking, sewing, mending, and outfit-making have recently been organised ... It is hoped that the systematic instruction given... will fit

¹⁸ GCA, T-PAR 1.16 p. 721, GMIAR, 1910, p. 7; GCA, T-PAR, GMIAR, 1913, p. 8.

¹⁹ GCA, T-PAR 1.31 p. 913, GMIAR, 1919, p. 2.

²⁰ GCA, T-PAR 1.13 p. 957, GMIAR, 1909, p. 16.

²¹ Ibid, p. 9.

²² Ibid.

²³ GCA, T-PAR 1.16 P. 721, GMIAR, 1910, p. 727.

²⁴ GCA, T-PAR 1.27, GMIAR, 1916, p. 4.

the girls more fully for the domestic duties to which they may be called.²⁵ At no point were the women given any training that might have equipped them to work in the newly emerging 'white collar' occupations, such as retail or office work, which were becoming available to some women during this period.²⁶ Equally, there was no mention of women successfully finding 'situations' outside of traditional types of domestic or factory work. It appears that the prospects of former 'inmates' remained limited by the traditional class and gender expectations of the Asylums well into the twentieth century.

One other option available to some women was emigration. In both the Edinburgh and Glasgow minutes, there is reference to women who emigrated to countries such as Canada, Australia and America. For example, in 1909 the Edinburgh Magdalene Asylum minutes described how the committee 'heard some letters from Canada' which described that the girls were 'happy in their situations' and that four other girls were doing their time 'to enable them to go to Canada'.²⁷ Similarly, in 1911 more letters were read from 'inmates who had gone to Canada'.²⁸ In 1927 the minutes explained that the Edinburgh Magdalene Asylum had previously worked together with the Salvation Army to help women emigrate, and that the Salvation Army had been 'very useful' in helping them gain information from the emigration office.²⁹ In Glasgow there is also mention of women going abroad; for example, in 1898 Kitty Monclif³⁰ was sent to South Africa after spending two years in the Institution, and in 1906 the annual report recorded that two 'inmates' went to America.³¹ However, unlike the Edinburgh minutes, in the Glasgow records there is less reference to women being sent abroad after the first decade of the twentieth century, and after 1906 the annual reports contain less detailed explanations of where the women went after leaving the institution. It is unclear whether this suggests that the Edinburgh Asylum was keener to help women emigrate, or simply that the

²⁵ GCA, T-PAR 1.8 p. 625, GMIAR, 1907, p. 3.

²⁶ See, for example, M. Arnot, E. Bartels, V. Beechey, L. Birke, S. Himmelweit, E. Hitelegg, D. Leonard, S. Ruehl and M. A. Speakman (eds), *The Changing Experience of Women* (Oxford: Robertson, 1982); Ina Zweiniger-Bargielowska, *Women in Twentieth-Century Britain* (Harlow: Longman, 2001).

²⁷ ECA, SL237/2/3 EMALC, 15 April 1909.

²⁸ ECA, SL237/2/3 EMALC, 11 October 1906; 15 April 1909.

²⁹ ECA, SL237/2/3 EMALC, 12 January 1927.

³⁰ GCA, TD1776/1 Glasgow Magdalene Institute Homes Committee Minute Book (hereafter GMIHC) 1898, 10 May 1898.

³¹ GCA, T-PAR 1.6, p. 625, GMIAR, 1906, p. 7.

Edinburgh Asylum kept more detailed records of the movement of the women after they left.

However, although emigration may have offered new opportunities for some women, they were still hindered by their lack of necessary training required to obtain jobs outside of domestic labour. The Edinburgh Magdalene Asylum's 1927 minutes suggest that the women were still expected to enter the same types of domestic employment abroad as to those at home. One report described how 'one of the inmates whose period of residence expired shortly had expressed the desire to go to Canada. She is a good laundress, and would probably do well if she could begin again away from friends here'.³² It appears, therefore, that a 'new start' did not necessarily mean new job opportunities, but was instead a chance for the women to escape their previous lives and reputations. Although the committee members of these institutions believed that women could be reformed, their encouragement of women to move abroad in order to have a 'fresh start' suggests that the members remained sceptical about women's ability to continue in their 'reformed' way of life if they returned to the same social environment that they had been a part of before they entered the institution.

If the women did not enter paid employment once they left the Magdalene Asylum, they were either sent to another type of institution, such as an infirmary or a poorhouse, or returned to family and friends. Therefore, these women were again expected to remain in a domestic environment under the protection of their families or other institutions. In cases where their families and friends were considered to be potentially harmful or likely to lead the 'inmates' astray, the women were encouraged to break all ties with them. However, the committee members wanted to compensate for this by making the environment inside the asylum like that of a substitute family. For example, in 1909, the Glasgow annual report described how the 'girls' saw the institution as 'a home', and looked to the matron 'as indeed a mother'.³³ Throughout both the Edinburgh and Glasgow minutes the women were frequently referred to as 'girls', again suggesting that they were supposed to represent the daughters within this surrogate family. Once they had left the

³² ECA, SL237/2/3 EMALC, 12 January 1927.

³³ GCA, T-PAR 1.13 p. 957, GMIAR, 1909, p. 7.

institution, the women were encouraged to keep in contact, and the minutes describe several occasions where the women returned to visit the institution.

A Social Profile of the 'Inmates'

As in the nineteenth century, the institutes remained primarily interested in 'saving' those women who they thought would respond well to reforming discipline and hard work well into the inter war period.³⁴ Ideally women came to the institution voluntarily, because the directors believed that a 'truly penitent' woman was more likely to be successfully reformed. Unless the women were sent there as part of their probation, the Asylum had no official power to keep any woman who wished to leave. The Glasgow annual reports for the years 1906, 1907, 1909, 1910 and 1915 give detailed information about the background of the inmates. From these it is possible to establish a clearer picture of the type of women the institution admitted. The majority of the women were between sixteen and twenty-four years of age. On average fifty-nine per cent of the women in the institute during these years were under twenty-four-years-old.³⁵ It was assumed that younger women were more susceptible to reforming influences and were less likely to have been fully corrupted. It could also be argued that the naivety and vulnerability associated with youth was seen as one of the main causes of their 'fall' and therefore these young women were seen as more worthy of the institute's benevolent reforming influence. Nevertheless, few were under sixteen, as the directors worried that having 'children' in the institution would cause complications due to the regulations stipulated under the 1908 Children Charter which set out guidelines and rules that had to be followed in institutions catering for children. Therefore, in 1909 they agreed that 'no persons under 16 years be admitted into the home so as to avoid the responsibility of the act.'³⁶ However, there were several exceptions to this rule when 'special case[s]' arose.³⁷ In the same year, another motion was passed which stipulated that 'women of 40 years of age and upwards should not be admitted except in very exceptional

³⁴ Linda Mahood, *Policing Gender, Class and Family: Britain, 1850-1940* (London: UCL Press, 1995), p. 75.

³⁵ GCA, GMIAR, 1906, 1907, 1909, 1910, 1915.

³⁶ GCA, TD1776/1 GMIHC, 11 May 1909.

³⁷ GCA, TD1776/1 GMIHC, 9 June 1909.

cases.³⁸ Nevertheless, when the numbers of 'inmates' began to dwindle in the 1930s, the committee proposed that 'the limit be extended to 45 years instead of 40'.³⁹

The records show that the majority of the women were not what the institute's committee members would have described as 'hardened prostitutes'. These 'habitual criminals' were thought to be too set in their immoral ways for reformation to be successful. One indication of this policy is the fact that most of the women had never been admitted to a lock hospital for the treatment of venereal diseases. For example, in 1909 eighty-two per cent of the women were recorded as never having been admitted to a lock hospital.⁴⁰ In 1910 the equivalent percentage was eighty-five and in 1915 it was eighty-seven per cent.⁴¹ This would suggest that the majority of the women had not suffered from venereal disease. On entering the Institute, the women were examined fully, and any woman found to be infected with venereal disease was sent to the lock hospital for treatment.⁴² Therefore, it was difficult for the women to hide any illness (although successful diagnosis was not always guaranteed).⁴³ It is possible that some of the women may have lied about their previous medical history, although due to the close association between the Lock hospital and the Magdalene Asylum, it is possible that the Asylum would have been able to double check this information.⁴⁴ Nevertheless, considering that it was assumed that women who had been engaging in prostitution for an extended period were likely to have contracted venereal disease, the fact that there was only a small number of women with venereal disease suggests that the Institute was less willing to admit 'hardened prostitutes'.

The institutes also did not admit sick or pregnant women. For example, in 1894 the Glasgow Magdalene Institute minutes included a letter which explained that 'surely you can understand the distinction between a reformatory and a hospital. This institution can only admit those who are in good bodily health, the hospital is the

³⁸ GCA, TD1776/1 GMIHC, 4 December 1909.

³⁹ GCA, TD1776/1 GMIHC, 4 April 1934.

⁴⁰ GCA, T-PAR 1.13 p. 957, GMIAR 1909, p. 14.

⁴¹ GCA, T-PAR 1.16 p. 721, GMIAR, 1910.

⁴² GCA, TD1776/1 GMIHC, 13 March 1894.

⁴³ For further discussion on the connection between prostitution and venereal disease see Roger Davidson and Lesley Hall (eds), *Sex, Sin and Suffering: Venereal Disease and European Society Since 1870* (London: Routledge, 2001); Mary Spongberg, *Feminizing Venereal Disease: The Body of the Prostitute in Nineteenth-Century Medical Discourse* (London, Macmillan, 1997).

⁴⁴ Pamela Cox, 'Compulsion, Voluntarism, and Venereal Disease: Governing Sexual Health in England after the Contagious Diseases Acts', *Journal of British Studies*, 46, 1 (2007) pp. 91-115.

place for those who are otherwise.'⁴⁵ The institutions saw themselves as 'moral hospitals', but those women who needed physical medical treatment were referred to the infirmary. Sick women could not work; therefore they could neither learn a trade nor contribute to the running of the institution. For example, in 1909 the Glasgow Institution passed a motion that stipulated that 'in admissions, preference should be given to strong healthy women and those women whose feeble health or drunken habits had unfitted them for work should be declined.'⁴⁶ In Edinburgh, a 'medical examination by the doctor' was similarly expected before the girls could be admitted into the Asylum.⁴⁷ For example, in 1914 the minutes described how 'the new arrangement for the medical examination of newcomers is now in working. Applicants for admission come from Springwell on Wednesday and are examined by the doctor here that afternoon at five o'clock'.⁴⁸

The Glasgow Institute's annual report statistics also show that the majority of women had never been in prison. For example, in 1909 the percentage of women that were recorded as 'never having been in prison' was seventy-seven per cent.⁴⁹ In 1910 the percentage was seventy-six, and in 1915 it was eight-one per cent.⁵⁰ The Glasgow Magdalene Institute was clearly reluctant to accept women who had been in prison (or, alternatively, women who had been in prison were less likely to want to enter the reform institute). These figures support the arguments put forward by Linda Mahood and Vivienne Cree that women were categorised according to their presumed capability to reform, and that this served as a new method of controlling women's sexuality.⁵¹ Once a woman had been labelled as a 'hardened criminal' and sent to prison, she was less likely to be deemed a good candidate for reform. However, for the years 1909, 1910 and 1915 (those years with reports which included data on the penal history of the women), on average seventeen per cent had previously been in prison.⁵² This suggests that there was some flexibility in the institute's approach and that several women were given a second chance. However, of those women who

⁴⁵ GCA, TD1776/1 GMIHC, 13 March 1894.

⁴⁶ GCA, TD1776/1 GMIHC, 4 December 1909.

⁴⁷ ECA, SL237/2/3 EMALC, 31, January 1907.

⁴⁸ ECA, SL237/2/3 EMALC, 8 January 1914.

⁴⁹ GCA, T-PAR 1.13 p. 957, GMIAR, 1909, p. 14.

⁵⁰ GCA, T-PAR 1.16, GMIAR, 1910, p. 13; GCA, T-PAR 1.26 p. 747, GMIAR 1915, p. 14.

⁵¹ Vivienne Cree, *From Public Streets to Private Lives: The Changing Task of Social Work* (Aldershot: Avebury, 1995), p. 18.

⁵² GCA, GMIAR 1909, 1910, 1915.

were listed as having previously been imprisoned, on average only nine per cent were recorded as being in prison 'frequently'. On the one hand, it appears that although the institution was prepared to give some women who had been in prison a 'second chance', they were less sympathetic to 'habitual criminals'. On the other hand, although the number of 'habituals' may have been low, the fact that the institution did accept some women who had 'frequently' been in prison suggests that they were willing to evaluate the situation on a case-by-case basis.

Whilst the majority of the women had never been to prison, many had previously resided in a 'reformation home'. The Glasgow Institute's annual reports for 1909, 1910 and 1915 show that on average fifty-two per cent of the women had previously resided in a reformation institution, and of these, several had been in 'other' similar institutions, such as industrial schools. There is no detailed information about exactly which institutions the women had been to, but the data suggests that different organisations worked together to place women in particular institutions according to their specific needs at different points throughout their life courses.

The statistics referring to where women went after they left the Magdalene institute also support this argument. For example, many women were sent to other institutions, such as hospitals, poorhouses and church-based hostels.⁵³ For example, in 1914 the Glasgow Magdalene Institute directors 'agreed to take back a former inmate who in February last was taken out of Lochburn home and taken to Aberdeen by Mr Watson, a director of the Aberdeen Ladies Mission Committee'.⁵⁴ Similarly, in March 1892 the Edinburgh Magdalene Asylum minutes described how Springwell House was a 'feeder to this home', and in 1911 and 1927, the minutes mentioned correspondences with the National Vigilance Association of Scotland (NVASED) and the Salvation Army that had been 'very useful'.⁵⁵ If a woman ran away or left the Magdalene Institute voluntarily before she had successfully completed her two years, the rules stipulated that she was not meant to be allowed to return to the institute. However, the records suggest that this rule was not always adhered to, and women were often given a second chance. For example, in 1896 after Sarah McLaughlin 'ran

⁵³ CCA, T-PAR 1.13 p. 957, GMIAR, 1909, p. 13.

⁵⁴ GCA, TD1776/1 GMIHC, 9 June 1914.

⁵⁵ ECA, SL237/2/3 EMALC, 17 March 1892; 19 October 1911; 12 January 1927.

away and misconducted herself", she was later 'taken back ... [and] restored to her place in the washing house'.⁵⁶

Several historians have suggested that working-class women were the main targets for reform in institutions such as the Magdalene Asylums.⁵⁷ They have argued that these types of organisation were part of a middle-class 'onslaught on the culture of the poor' which attempted to influence the behaviour and moral sensibilities of the working classes so that they would conform to bourgeois ideals.⁵⁸ For example, Mahood's research on the Glasgow Magdalene Institute during the nineteenth century found that the 'inmates' were primarily from working-class backgrounds.⁵⁹ The Glasgow Magdalene Asylum's annual reports suggest that this was also true in the twentieth century. The two most common types of previous employment undertaken by the women were domestic service, which accounted for twenty-seven per cent, and factory work, which accounted for twenty-five per cent.⁶⁰ Other common types of employment included laundry work, farm service and hotel work. The reports also include information about the women's 'fathers' employment', and that also mainly included working-class occupations. The most common type of paternal employment recorded in the years 1906, 1907, 1909 and 1910 reports was 'labourer', with an average of twenty per cent of the fathers listed under that occupation.⁶¹ Overall, there was a wide variety of different paternal parental occupations, such as blacksmiths, carpenters, engineers, farmers, masons, miners, painters, policemen, sailors, soldiers, shoe-makers and shop-keepers.⁶² Although many of these occupations can be categorized as working class, the women clearly came from a wider range of different family environments. Several of these occupations could be classed as skilled-working class or lower-middle class, and therefore if the women's fathers were in regular employment, the families were likely to have had a sufficient income.

⁵⁶ GCA, TD1776/1 GMIHC, 8 December 1896.

⁵⁷ Linda Mahood, *The Magdalenes*; Judith Walkowitz, *Prostitution and Victorian Society: Women, Class, and the State* (Cambridge: Cambridge University Press, 1980); Frank Mort, *Dangerous Sexualities: Medico-Moral Politics in England since 1830* (London: Routledge, 1987); Paula Bartley, *Prostitution, Prevention and Reform in England, 1860-1914* (London: Routledge, 2000).

⁵⁸ Mort, *Dangerous Sexualities*, p. 29.

⁵⁹ Mahood, *The Magdalenes*, p. 3.

⁶⁰ GCA, GMIAR, 1906, 1907, 1909, 1910, 1915.

⁶¹ GCA, GMIAR 1906, 1907, 1909, 1910.

⁶² *Ibid.*

On the one hand this suggests that not all of the women were necessarily from poverty-stricken families. On the other hand, in 1909 the Directors of the Glasgow Institute described how a large proportion of the 'inmates' were 'drawn from the most hapless and helpless of their sex – orphan girls, motherless girls, ill-used step-daughters, and girls of weak intellect'.⁶³ The Institute's statistics back this assertion, showing that the majority of the women did not have both parents. For example, in the years 1906, 1907, 1909, 1910, and 1915, on average forty-one per cent of the women were described as orphans, and only twenty-five per cent had both parents alive.⁶⁴ The loss of one parent would have had considerable consequences for families left without two parents to support them, both economically and emotionally. Although poverty may not have been the primary reason why all of these women entered into prostitution, unstable family life was an important factor. It could be argued, therefore, that the focus that had been placed on assessing women's 'characters' – whether they held 'victim' or 'criminal' status – was detracting attention from the underlying problem of socio-economic inequality that caused women to resort to prostitution.

From Head Shaving to Rational Recreation: Living Conditions in the Magdalene Asylums

During the nineteenth century, discipline and hard work played a central role in the daily routine of the institution. Mahood's study of the Glasgow Magdalene Institute found that the women often worked for over ten hours a day and that head shaving was used to discourage women from leaving the institution before their two years were over.⁶⁵ By the twentieth century head shaving was no longer practised, and, as Mahood points out, disciplinary methods had already begun to change by the latter part of the nineteenth century. As the twentieth century continued, the disciplinary and penal aspect of the asylum slowly decreased. Although there were still strict rules that had to be followed, and working hours remained long, the institutions appear to have become a less austere place to live.

⁶³ GCA, T-PAR 1.13 p. 957, GMIAR, 1909, p. 7.

⁶⁴ GCA, GMIAR, 1906, 1907, 1909, 1910, 1915.

⁶⁵ Mahood, *The Magdalenes*, p. 80.

Both the Glasgow and Edinburgh Institutes arranged 'special treats' for the women. For example, the Edinburgh minutes often referred to the annual New Year's day treats they provided – events which usually included a meal, gifts, music and other types of entertainment. In 1934 the Edinburgh minutes described 'how successful the picnic to Blackness had been' and that they 'all hope[ed] that perhaps it may become an annual event'.⁶⁶ Similarly, in June 1936 'Miss Hamilton ... most kindly asked the young women and girls to her house for an afternoon picnic'.⁶⁷ There were also frequent references to different types of entertainment provided for the women at the Glasgow Magdalene Institute, such as the annual New Year's celebrations and the annual 'summer treat'.⁶⁸ It was not only twice a year that the women were offered entertainment. The Glasgow Magdalene Institute's annual reports often included a list of all the recreational activities that had taken place during the year. These activities included concerts, musical evenings, talks from foreign missionaries, cinematography, readings, and illustrated lectures on a wide variety of subjects.⁶⁹

In addition to these scheduled events, the minutes recorded many other types of recreational activities. For example, in 1911 a 'special dinner was granted to the inmates on the coronation day'; in 1920 the women were each given small plots of land to grow flowers and vegetables; and in September 1921 they held a flower show with prizes for the best entries.⁷⁰ In 1922 it was proposed that 'part of the grounds' should be used as a 'play-ground for the girls' and that 'a set for the game of basketball be procured for their amusement'.⁷¹ Music also appears to have played an important role in the institutions' entertainment. The Glasgow Institute, for instance, had a piano, American organ, and employed a singing teacher.⁷² Nevertheless, although some of these activities would have been enjoyable for many of the women,

⁶⁶ ECA, SL237/2/3 EMALC, 17 October 1934.

⁶⁷ ECA, SL237/2/3 EMALC, 26 June 1936.

⁶⁸ GCA, TD1776/1 GMIHC, 13 June 1893.

⁶⁹ GCA, T-PAR 1.16 p. 721, GMIAR, 1910, p. 11.

⁷⁰ GCA, TD1776/1 GMIHC, 9 May 1911; 2 October 1920; 9 September 1924.

⁷¹ GCA, TD1776/1 GMIHC, 13 June 1922.

⁷² GCA, TD1776/1 GMIHC, 14 October 1913.

they were mainly intended as forms of 'rational recreation' that would provide useful education.⁷³

In the Edinburgh Magdalene Asylum there were similar types of entertainment, especially concerts for the women to enjoy.⁷⁴ These events also had a close focus on educational recreation, with particular emphasis on lectures and readings. For example, in January 1914 the minutes described a 'very successful' entertainment evening, including two illustrated lectures, one on 'Trips to Jerusalem' and the other on 'Switzerland and Venice'.⁷⁵ The Edinburgh Asylum was also keen to improve the food given to the 'inmates'. For example, in January 1926 they put forward a proposal for 'improving the cooking, and the permitting of greater variety in the food', and in 1931 they made sure that the 'inmates were given a hot meal on Sundays'.⁷⁶

The letters the Edinburgh Magdalene Asylum received from former 'inmates' expressing gratitude 'for the help they got in the institution', and their new 'desire to do well', clearly suggest that some women were thankful for a chance to reform and did not necessarily feel that their time there was an unwarranted hardship.⁷⁷ Nevertheless, the nature of the available sources, such as minutes and annual reports, means that it is difficult to escape a 'top down' perspective on how the 'inmates' actually experienced their time in these institutions. Not only is it unlikely that those who did not appreciate their time in the asylum would write to express this, the committee members were even less likely to want to write about those cases in their minutes or annual reports. The fact that several women were reported to have run away suggests that there were certainly some women who strongly resented the rules, surveillance, and loss of freedom that the institute subjected them to.⁷⁸

Penal-Welfarism

The Magdalene Institutes were not only concerned with the conduct of women during their stay in the institute, but also about their lives before and after they

⁷³ For further discussion on leisure and rational recreation see, for example; Peter Bailey, *Leisure and Class in Victorian England: Rational Recreation and the Contest for Control, 1830-1885* (London: Routledge, 1978); Gary Cross, *A Social History of Leisure since 1600* (Venture, 1990); Andrew Davies, *Leisure, Gender and Poverty* (Milton Keynes: Open University Press, 1992).

⁷⁴ ECA, SL237/2/3 EMALC, 14 October 1925.

⁷⁵ ECA, SL237/2/3 EMALC, 8 January 1914.

⁷⁶ ECA, SL237/2/3 EMALC, 13 January 1926; 15 April 1931.

⁷⁷ ECA, SL237/2/3 EMALC, 8 October 1924; 1 March 1906.

⁷⁸ GCA, TD1776/1 GMIHC, 14 September 1909.

entered. For example, in 1919 the importance of obtaining knowledge about the women was reiterated by the Repressive Committee who recommended that 'in order to obtain a reliable record of the women who have been under our care for one year and over, the matron, assisted by the outside agent, shall keep a record of such in a ledger form, devoting a page to each person'.⁷⁹ The outside agent was also expected to devote 'part of her time ... to the aftercare of former inmates'.⁸⁰ This gathering of information about the women fits with an important aspect of David Garland's notion of the 'penal-welfare' system.⁸¹ Penal-welfare is described by Garland as a development which allowed for the increased surveillance and control of individuals' private lives based on the premise that welfare was to be provided.

Garland's work is influenced by the theories proposed in Michel Foucault's *Discipline and Punish*.⁸² However, whereas Foucault focuses primarily on how the prison system created 'docile bodies' through a process of constant observation and control – a system that was developed in order to internalise the discipline necessary for the functioning of modern economic, political and welfare systems – Garland suggests that welfare organisations similarly sought to collect information about people's personal histories in order to form and assess a person's 'background, history, character and corrigibility'.⁸³ Garland argues that 'through the services of the various voluntary agencies, probation officers, after-care agents, etc., the range of knowledge available to the authorities is extended to encompass not only the offender, but also his family and home'.⁸⁴ Therefore, the penal-welfare complex created an 'extended basis for disciplinary intervention and regulation' so that attention was shifted from the offence to the offender.⁸⁵ In the Magdalene Asylums, it was ultimately the woman's ability to adopt 'normal' notions of 'correct' gendered and sexual behaviour that was being judged. If women were to receive 'welfare' in the form of 'benevolent reform', rather than being sent to prison for punishment, the women had to submit to these forms of surveillance and behave according to their rules.

⁷⁹ GCA, TD1776/1 GMIHC, 11 November 1919.

⁸⁰ GCA, TD1776/1 GMIHC, 12 June 1917.

⁸¹ David Garland, *Punishment and Welfare: a History of Penal Strategies* (Aldershot: Gower, 1985).

⁸² Michel Foucault, *Discipline and Punish: The Birth of the Prison* (London: Penguin, 1977).

⁸³ Garland, *Punishment and Welfare*, p. 236.

⁸⁴ Ibid.

⁸⁵ Ibid, pp. 104 -105.

Therefore, although living conditions did improve, and more emphasis was placed on the reformation of the women's character by 'gentle encouragement' rather than punishment, the basic principles that had existed in the nineteenth century remained similar during the twentieth century. The women still worked long hours for little or no pay, and were expected to be obedient and hard-working. Their employment remained centred around domestic labour, and successful reformation still translated into the successful adoption of middle-class notions of domesticity. Even when women were offered a chance to start a new life overseas, they were still expected to remain in the domestic sphere. Moreover, this institutional system essentially meant that the women had their freedom curtailed for up to two years, and were subjected to more intrusive interference into their private lives than that which was undertaken in prisons. Although the Magdalene homes may have become more attractive on the surface, these changes merely represented a more pleasant and acceptable way of controlling women rather than sending them to prison.

The Magdalene Asylums were not the only voluntary organisations that engaged in the surveillance of women in an attempt to judge, reform and control their behaviour. The next section will therefore use two case studies of the National Vigilance Association of Scotland (Eastern Division) and the Women Patrols, which were set up during the First World War, to further explore the involvement of voluntary organisations in the regulation of prostitution.

The National Vigilance Association of Scotland, Eastern Division

The National Vigilance Association (NVA) was set up in 1885 in order to help enforce the 1885 Criminal Law Amendment Act. The Act aimed to facilitate a 'crackdown' on prostitution, to protect women from abduction, seduction and rape, raised the age of consent to sixteen, and made gross indecency between males a crime. The NVA in Edinburgh was established in 1911 and was named the National Vigilance Association of Scotland, Eastern Division (NVASED). It undertook similar activities as the other NVA branches, such as investigating suspected brothels, immoral dance halls, obscene literature and films, campaigning against pornography, patrolling the streets and removing young people from places they thought placed them at risk. The NVA also provided help and advice for young

women, particularly those who had moved or run away from home or had become unemployed.⁸⁶ The minutes of the NVA SED Ladies' Committee provide detailed information about the day-to-day running of the association and the type of cases they dealt with. Aside from their campaigning activities, their primary concern was to protect women who were perceived to be in moral danger. They worked together with many other organisations such as the Salvation Army, the Scottish Girls' Friendly Society, the National Union of Women Workers and the Magdalene Asylum. Although they worked together with the police to try to suppress brothels, they resembled the Magdalene Asylums in that they were not primarily concerned with reforming 'hardened' prostitutes.

Initially, the NVA SED Eastern Division referred some of the women that they 'rescued' to reform homes, such as the Magdalene Asylum. However, by the early 1920s it appears that its attitude towards this type of institutional reform had changed. In 1924 the Ladies' Committee received a letter from the Edinburgh Magdalene Asylum asking why the NVA SED had stopped sending women there. The Ladies' Committee members replied by sending a letter to explain that they had stopped sending women to their Asylum for the previous two years because:

- 1) There was no classification of cases.
- 2) " " no proper medical examination.
- 3) " " no recreational or educational side.
- 4) The commercial side developed to the almost utter exclusion of the moral and spiritual.
- 5) The training in the home does not properly equip the girls for future work.⁸⁷

The NVA SED was clearly very critical of the Magdalene Asylum's methods. It felt that the Asylum did not cater for the educational or vocational needs of the women and instead focused too heavily on making profits from laundry work. The validity of these accusations is difficult to gauge. There was likely to have been a competitive element between two organisations that worked in a similar area, especially if the NVA SED felt that they wanted to pursue 'modern methods' and break their association with more outmoded reform homes. However, the Edinburgh Magdalene

⁸⁶ Cree, *From Public Streets to Private Lives*, p. 28.

⁸⁷ National Library of Scotland (hereafter NLS) Acc.11191/2 Minutes of the Ladies Committee National Vigilance Association of Scotland (Eastern division) 1913-1926 (hereafter MLCNVA SED), 4 January 1924.

Asylum minutes show that aspects of the NVA SED's criticisms were warranted, and that regardless of the improvements that were made in the 1920s, the 'inmates' still worked long hours and received training and education that limited their future job prospects. It appears that even some members of the Magdalene Asylum's Ladies' Committee were aware of the negative connotations associated with the Asylum. For example, in 1928 committee member Miss Hamilton proposed that the name of the institution should be changed. There was general agreement and 'sympathy with the change proposed', but the committee decided against it because of the 'costly legal proceedings' and the danger of losing endowments, gifts and legacies.⁸⁸ It appears that although the Asylum may have tried to improve its image and the experiences of its inmates, its directors were aware of the continuing negative connotations associated with the name of the Magdalene Asylum and its use of institutional methods to reform women.

The NVA SED did not run a reform home, and it was clearly critical of this institutional approach in general, not only the Magdalene Asylums. For example, in 1931 the minutes describe how the committee was 'worried about the conditions in the Haddington home' run by the Church of Scotland because a girl who they had referred there 'became very sick' and they feared that she had been 'forced to work while ill'.⁸⁹ As described in an article written on behalf of the NVA SED, the NVA SED believed that the 'modern social reformers have abandoned the fiercely retributive from of discipline as purely sterile; the new lines of efforts are regenerative, positive, and constructive'.⁹⁰

Instead of institutionalising women, the NVA SED preferred to focus on the different women individually. This 'case work' approach meant that the needs of each woman could be assessed and the appropriate action could be taken accordingly. The NVA SED, therefore, worked with several organisations to ensure that they could provide the necessary help the women needed. This often included working with hospitals, the police, probation officers, voluntary workers, religious organisation, possible employers and family members. For example, in May 1916 the NVA SED minutes described the case of seventeen-year-old Ruby Thompson, who

⁸⁸ NLS, Acc.11191/2, MLCNVA SED, 9 November 1928.

⁸⁹ NLS, Acc.11191/2, MLCNVA SED, 13 May 1931.

⁹⁰ NLS, Acc.11191 Family Care Papers, Newspaper Cuttings 1912-1928, p. 41.

had just left the Royal Infirmary Lock Ward, was given temporary accommodation and was assisted in finding suitable employment:

Her mother refuses to have any more to do with her and Ruby is very anxious to make a fresh start and keep away from the bad girls who have influenced her... She is staying at the flat until a suitable home is found for her. Work has been obtained for her at Craigside Envelope factory.⁹¹

Nevertheless, although the NVA SED's case-work approach was in many respects quite different to the Magdalene Asylums institutional methods, it still followed a similar approach concerning what constituted 'saving' women. Like the Magdalene Asylum, it often placed women into domestic jobs or tried to return them to their families. For example, in 1913 Katie Maxwell was found a situation as a tailor maid, and in 1914 Bethany Blair's child was 'taken into a shelter on condition that [she] went into service'.⁹² In the same year, Ada Paterson, who had run away from home, was sent back to her mother.⁹³ Similarly, the NVA also involved the women's families when trying to control those they thought were in moral danger. For example, in 1914 when Jemina Dickson 'refused to go to any home outside Edinburgh', the NVA SED decided it was necessary to 'see the girl's father and induce him to use his authority in the matter'.⁹⁴ Not only was the NVA SED trying to control where Dickson would be sent, it also wanted to persuade her father to use his traditional patriarchal power to control his daughter. The importance of influencing the girl's home life can also be seen by the fact that in 1913 the NVA SED held a 'mothers meeting' which aimed to 'reach the mothers of the girls'.⁹⁵

Similar to the women who were inmates at the Magdalene Asylums, the women that the NVA SED sought to help were primarily from working-class backgrounds. For example, seventeen-year-old Ruby Thompson (referred to above) was found work at the 'Gaigaid factory'.⁹⁶ Other similar cases include Mary Anderson (a girl in service), Ida List (a nurse who was pregnant), Priscilla (a seventeen-year-old who was dismissed from Rubben Works owing to her 'condition'), Charlotte Lee (a sixteen-year-old looking for work), Annie Riley (an

⁹¹ NLS, Acc.11191/2, MLCNVA SED, 18 May 1916.

⁹² NLS, Acc.11191/2, MLCNVA SED, 2 April 1913; 29 July 1914, p. 137.

⁹³ NLS, Acc.11191/2, MLCNVA SED, 4 October 1914.

⁹⁴ NLS, Acc.11191/2, MLCNVA SED, 19 July 1914.

⁹⁵ NLS, Acc.11191/2, MLCNVA SED, 19 February 1913.

⁹⁶ NLS, Acc.11191/2, MLCNVA SED, 18 May 1916.

eighteen-year-old who had lost her job because she got into 'bad company'), Maggie McLeachy (a sixteen-year-old girl from an Industrial school), and Rachael Brown (who previously had been a domestic servant and then tried factory work).⁹⁷ There were also several references to the NVA SED providing shelter and clothing for the girls, suggesting that they had little money.⁹⁸ Newspaper articles about the NVA also illustrate that the girls were mainly from working-class backgrounds; for example, on March 14 1918 the *Evening Dispatch* wrote that the girls who the NVA SED sought to help were 'usually from domestic service or other employment.'⁹⁹ As in the Magdalene Asylum minutes, the young women in the NVA SED minutes were mainly referred to as 'girls', even when describing women in their late twenties.¹⁰⁰ This use of the word 'girls' to describe un-married women in their late teens and twenties was not uncommon during this period; however, it clearly demonstrates an unequal power balance between those being helped and those in control, and implies that this power imbalance was rooted in class and not simply in generational difference. Although this evidence does not prove that all of the women were from a working-class background, there is little evidence in the case records to suggest that middle-class women were being targeted.

Like the Magdalene Asylum, the NVA SED was also less interested in women who were considered 'hardened prostitutes'. The majority of the women described in the minutes were young girls who were behaving promiscuously or were in 'danger of being led astray'. For example, in 1913 they placed Nina Smith in a Glasgow reform home because it was feared that she was 'living in dangerous surroundings'.¹⁰¹ In November 1913 they placed nineteen-year-old Mabel Brown, who had been 'on the streets for three weeks', into a reform home in Dundee.¹⁰² The June 1916 minutes described how fifteen-year-old Annie McCormack, who had been 'running absolutely wild, [and] in with a bad set of girls', was sent to a convent in

⁹⁷ NLS, Acc.11191/2, MLCNVA SED, 29 July 1914; 13 September 1914; 4 October 1914; 6 January 1915; 2 December 1914; 16 December 1917; 19 April 1917.

⁹⁸ NLS, Acc.11191/2, MLCNVA SED, 6 January 1915; 21 February 1918.

⁹⁹ NLS, Acc.11191 Family Care Papers, Newspaper Cuttings 1912-1928, p. 35, *The Evening Dispatch*, 14 March 1918.

¹⁰⁰ NLS, Acc.11191/2, MLCNVA SED, 20 January 1915.

¹⁰¹ NLS, Acc.11191/2, MLCNVA SED, 30 April 1913.

¹⁰² NLS, Acc.11191/2, MLCNVA SED, 4 November 1913.

Dalkeith.¹⁰³ However, some cases did include women who had clearly been engaging in prostitution. For example, the May 1916 minutes described how the NVA SED had placed Agnes Wilson into the Friendless Girls' Home because she had been 'decoyed into a house of bad fame', and an 'Irish girl' was sent to a convent after she had been in prison for three days for a prostitution offence. Nevertheless, although they had engaged in prostitution, these women were far from being seen as 'hardened prostitutes'. Wilson was labelled as being 'of weak intellect', and the 'Irish girl' was described as 'deeply repentant'.¹⁰⁴ Their vulnerability and eagerness to be reformed meant that they were seen as victims willing to reform rather than 'hardened criminals'.

The NVA SED also worked closely with the police. For example, in March 1913 the NVA SED 'outdoor worker' Miss Taylor was asked by the police to stop a marriage in Leith because they thought it likely that the man would 'turn the girl onto the streets'.¹⁰⁵ However, the main co-operation between the police and the NVA SED was regarding brothels. The NVA SED frequently informed the police about suspected brothels in the hope that the house could be placed under surveillance. For example, in May 1927 the minutes describe how 'communications were held with the Chief Constable' about patrolling the Princes Street gardens in order to form a report on their condition.¹⁰⁶ In December 1916 there were concerns raised in the Ladies' Committee meetings about 'the houses of ill fame', and it was noted that women working for the NVA SED watched these houses and requested 'to see if the special constable could help in the matter.'¹⁰⁷ They also asked for help from a solicitor to decide whether or not they could confront the landlady of a suspected brothel.¹⁰⁸ This evidence clearly demonstrates that the NVA SED became directly involved in the policing of what they understood to be immoral activity. The NVA SED was prepared to interfere directly in the lives of these women, and was willing to use surveillance, the police, or the traditional authority of 'the father' to

¹⁰³ NLS, Acc.11191/2, MLCNVA SED, 1 June 1916.

¹⁰⁴ Ibid.

¹⁰⁵ NLS, Acc.11191/2, MLCNVA SED, 5 March 1913.

¹⁰⁶ NLS, Acc.11191/2, MLCNVA SED, 31 May 1927.

¹⁰⁷ NLS, Acc.11191/2, MLCNVA SED, 12 December 1916.

¹⁰⁸ Ibid.

make sure the young women behaved according to their notion of respectable femininity.

Therefore, although the twentieth century saw opportunities for women's growing independence, these new freedoms were 'accompanied by new restrictions, and new forms of regulation'.¹⁰⁹ Pamela Cox argues that the fear of the independent 'modern girl' was so strong because she posed a wider threat to society due to her future role as the mothers of the next generation.¹¹⁰ This 'rise of new ways of envisioning and governing the social' therefore meant that girls were policed in three ways: as 'children, as future workers, as future mothers'.¹¹¹ This was particularly important during the First World War when the sexual behaviour of women became of national importance.

Women Patrols During the First World War

Women patrols were implemented shortly after the start of the First World War, in response to what became known as 'khaki fever', a term used to describe the moral laxity and increased sexual misconduct supposedly caused by the war.¹¹² It was believed that young women were particularly at risk because they bore 'the crest of this emotional experience' and hence were especially affected by the increased presence of soldiers.¹¹³ The National Union of Women Workers (NUWW) was one of several organisations that responded to this increasing concern by creating women patrols. In 1914 the Scottish Union of Women Workers (SUWW) established the Scottish women patrols that would be independent of the central committee based in England.

The records of the Edinburgh women patrols show that the role of these patrols was mainly to tour streets and parks in an attempt to prevent immorality between young men and women. For example, the members of the patrols were told that they should engage in the 'friendly surveillance of girls' near army camps and in the local

¹⁰⁹ Pamela Cox, *Gender, Justice and Welfare: Bad Girls in Britain, 1900-1950* (Basingstoke: Palgrave MacMillan, 2003), p. 12.

¹¹⁰ Ibid.

¹¹¹ Ibid, p. 15.

¹¹² See, for example, Angela Woollacott, "'Khaki Fever' and its Control: Gender, Class, Age and Sexual Morality on the British Home front in the First World War", *Journal of Contemporary History* 29 (1994) pp. 325-347.

¹¹³ *Scotsman*, 6 October 1916, p. 4.

parks.¹¹⁴ During 1917 and 1919 the patrols also assisted as 'part-time Park-Keepers from 6:30 to sunset during 3 ¼ summer months in Holyrood Park ... [and] were granted all the powers of park-keepers'.¹¹⁵ However, a letter sent to the Edinburgh Chief Constable explained that the role of the women patrols was 'mainly preventative' and it was intended that they should take 'care of girls and women who would not ordinarily come under the notice of the police.'¹¹⁶ Patrol members were told to 'avoid speaking to a girl accompanied by a man' because their 'main aim' was to 'cause interruption' of any immoral activity by making their 'silent presence known.'¹¹⁷ This was thought possible because it was presumed that the women patrols had moral superiority and therefore the right to become involved in the private lives of other women. The patrols also established clubs 'so as to form a centre for the girls' in order to distract them from fraternising with soldiers.¹¹⁸ It is therefore clear that although the patrols did not often physically intervene, they did aim to regulate the behaviour of the women using other methods.

One of the main reasons that local and national government supported the patrols was due to concerns about the increasing rates of sexually transmitted infection within the armed forces.¹¹⁹ Angela Woollacott, Lesley Hall and Lucy Bland have shown how it was widely believed that a major reason for the rapid spread of venereal disease was due to 'amateur prostitutes' and 'good time girls' having sex with the soldiers.¹²⁰ These women were supposedly not as careful as 'professional prostitutes', and the soldiers were less worried about having sex with them because they wrongly assumed that they were less likely to be infected with venereal disease

¹¹⁴ NRS, HH31/16/13: First World War: Women Patrols Papers, p. 2.

¹¹⁵ Imperial War Museum (hereafter IWM), EMP 42/3: Women's Work Collection, Report on Women Patrols For Scotland 1914 – 1920, p. 4.

¹¹⁶ NRS, HH31/16/13: First World War: Women Patrols Papers, p. 3.

¹¹⁷ NRS, HH31/16/13: Papers of the Women Patrols; HH31/16/13: First World War: Women Patrols Papers.

¹¹⁸ IWM, EMP 42/3: Women's Work Collection, Report on Women Patrols For Scotland 1914 – 1920, p. 3.

¹¹⁹ Rodger Davidson, *Dangerous Liaisons, a Social History of Venereal Disease in Twentieth-Century Scotland* (Amsterdam: Rodopi, 2000).

¹²⁰ Lesley Hall, 'War always brings it on': War, STD's, the Military, and the Civilian Population in Britain, 1850-1950', in *Medicine and Modern Warfare* (eds), Roger Cooter, Mark Harrison and Steve Sturdy (Amsterdam: Atlanta, 1999); Lucy Bland, 'In the Name of Protection: The Policing of Women in the First World War', in *Women in Law: Explorations in Law, Family and Sexuality* (eds), Julia Brophy and Carol Smart (London: Routledge, 1985), pp. 23-49; Angela Woollacott, 'Khaki Fever and its Control'.

than 'professional' prostitutes.¹²¹ This prompted a legislative proposal to control the activities of these women. In March 1918, Regulation 40D under the Defence of the Realm Act (DORA) made it an offence for any woman with venereal disease to either have sex with, or solicit, a member of the armed forces.¹²² Woollacott explains that the issue of 'khaki fever' became so important, precisely because it was affecting all classes of society. This was equally true in Edinburgh. For example, a contemporary newspaper article stated that 'nearly every class and age of the community' was affected by 'khaki fever'.¹²³ Nevertheless, as was the case in the Magdalene Asylums and the NVA SED, it was generally only young working-class women who were targeted for surveillance. For example, one article states that the patrols aimed to 'speak to girls who are with soldiers' and make the 'young girls realise the foolishness of their behaviour'.¹²⁴ If middle-class women were also targeted, it was because they were thought to be temporarily lacking in proper bourgeois morals (due to the extraordinary circumstances of war) and therefore in need of the same instruction as the working-class women. This can be seen most clearly in those newspaper articles which explain the problem of 'khaki fever' as being caused by a temporary 'loss of self-control'.¹²⁵

Lucy Bland argues that although the patrols were designed to protect women and girls, this protection often 'tended to slip into surveillance'.¹²⁶ It is clear that in Edinburgh too, the women patrols provided another example of how voluntary organisations worked together with the state to control the behaviour of those women who did not adhere to middle-class notions of respectable feminine behaviour. For example, each organisation sought to distinguish between different women according to whether they were considered 'unfortunate girls' or 'hardened prostitutes', and tailored their response to them accordingly. Pamela Cox has argued that 'the drawing of differences between groups and the shaping of policies appropriate to these groups was certainly a key feature of the new governmentality'.¹²⁷ However, these 'new techniques of social regulation were heavily reliant on old philanthropic resources',

¹²¹ Ibid.

¹²² Woollacott, 'Khaki Fever', p. 333.

¹²³ *Scotsman*, 6 October, 1916, p. 4.

¹²⁴ Ibid.

¹²⁵ NRS, HH31/16/13: First World War: Women Patrols Papers, p.5.

¹²⁶ Bland, 'In the Name of Protection', p. 23.

¹²⁷ Cox, *Gender, Justice and Welfare*, p. 13.

which meant that the perceived 'differences' between groups of women was based on 'old social visions perceived through a lens of class, gender, ethnicity, religion and sexuality'.¹²⁸ The final section on probation will therefore examine the vital role that probation played in providing a link between these voluntary organisations and more formal state methods of controlling prostitution.

The Probation Service

The 1907 Probation of Offenders Act officially introduced probation as an alternative means of rehabilitating people who had committed petty offences.¹²⁹ The Act made it possible for cases tried under summary law to be dismissed and the accused to be placed under the supervision of a probation officer for a maximum period of three years.¹³⁰ The conditions of probation stipulated that the offender must be of good behaviour, but also allowed for other conditions to be made, such as prohibiting offenders from associating with undesirable characters, or requiring them to abstain from consuming intoxicating liquor. In Edinburgh this resulted in a list of six basic conditions that had to be followed by those on probation. These were:

1. To appear for conviction and sentence when called at any time within (x number) of months after this date under the penalty of £2.
2. To be of good behaviour.
3. To remain during the said period under the supervision of the probation officer, and to conform to their directions as to conduct or residence.
4. To remain in any employment which she may obtain, or which may be found for her unless she has reasonable excuse for leave. To perform duties assigned to her in such employment.
5. Not to associate with thieves or other undesirable persons or frequent undesirable places.
6. To abstain from intoxicating liquor.¹³¹

If the probation officer felt that the bond had been broken they were obliged to send the offender back to court, where the original offence could be resurrected and a sentenced passed.¹³² Therefore, whether or not a probationer was sent back to court for sentencing was not dependant on whether they broke the law, but on a list of

¹²⁸ Ibid.

¹²⁹ Probation of Offenders Act 1907(3 Edw. 7, c. 25).

¹³⁰ Fergus McNeill, 'Remembering Probation in Scotland', *Probation Journal*, 52, 1 (2005) pp. 23-38.

¹³¹ ECA, EBCR.

¹³² Anthony Osler, *Introduction to the Probation Service* (Winchester: Waterside, 1995).

factors designed to assess whether they were living according to middle-class notions of how respectable people should behave.

Although the police had previously worked with voluntary organisations such as the Magdalene Asylum and the NVA SED to provide an informal probation service, the work of these organisations had been on a voluntary basis and had not been officially recognised by the police or magistrates. The 1907 Probation of Offenders Act, however, gave voluntary organisations, such as the Magdalene Institute and the NVA SED, an opportunity to become integrated into a more formal penal-welfare system.¹³³ The 1907 Act stipulated that probation officers were to be paid by the local council and were subject to the control of the Burgh or Sheriff Court. However, in practice, many of the same women who had been informally visiting the courts to persuade women to enter the Magdalene Institute were given the role of 'probation officer'. For example, in 1913 Miss Paterson, the matron at the Glasgow Magdalene Institute since 1909, was licensed to care for Robina Stewart for three years. During this period, Stewart was to reside at the Magdalene Institute, and the Juvenile Delinquency Board would pay a maintenance allowance of five shillings per week.¹³⁴ The probation orders could also stipulate where a probationer had to reside, and cases from the 1920s show that the majority of the women arrested for importuning offences and placed on probation were subsequently sent to institutions such as the Edinburgh Magdalene Asylum. For example, in 1927 the Ladies' Committee minutes described how a 'young girl had been very rude and troublesome and appeared determined to leave. The girl was on probation under a criminal charge which had not expired and were she to leave the institution she would be imprisoned.'¹³⁵

In 1936 the minutes similarly referred to girls who 'were sent through probation officers'.¹³⁶ The development of this new probation system was at first uncertain and piecemeal, but after 1913 official probation reports began to appear regularly in the Edinburgh Burgh Court records, and continued to be used throughout the period up to 1939. The number of women put on probation for soliciting offences

¹³³ Probation of Offenders Act 1907(3 Edw. 7, c.25).

¹³⁴ GCA, TD1776/1 GMIHC, 14 October 1913.

¹³⁵ ECA, SL237/2/3 Edinburgh Magdalene Asylum Ladies Committee Minutes (hereafter EMALC), 9 March 1927.

¹³⁶ ECA, SL237/2/3 EMALC, 16 October 1936.

varied considerably throughout the period, but the highest volume of reports occurred between 1917 and 1925. After 1925 the number of probation cases began to decrease, and by the late 1930s probation cases for those accused of soliciting had become very rare, with only one or two per year in most years, and none in 1939.

The probation reports included the name of the officer assigned to each woman. Throughout the thirty-year period there were many different probation officers whose names appeared in the Burgh Court records for cases relating to importuning offences, but a certain few appeared more regularly than others. For example, Sister Louise, Miss Kiff of the Salvation Army, Miss Margaret Copeland from the Magdalene Asylum, and Miss Livingston appeared frequently. Most of the probation officers were women; however, some cases involved men, such as the Reverend MacKinnon and the Reverend Thomson. From the reports it is also possible to determine the different homes and asylums to which the women were sent. The Magdalene Asylum in Edinburgh was the most common destination for women from Edinburgh, but they were also sent to the house of Mercy at Horribuy in Wakefield, the Salvation Army house on the Grassmarket in Edinburgh, the Lochee Rescue Home in Dundee, the Church of Scotland home in Paisley, the Lochburn Home in Maryhill in Glasgow and Woodfield House in Colinton. A majority of these organisations, such as the Magdalene Asylum, the Salvation Army Home, and the Church of Scotland Home, were either directly ran by particular Christian denominations, or had strong affiliation or association with religious organisations. Consequently, many of the new probation officers, who were primarily recruited from these voluntary organisations, were likely to have had strong church connections. Therefore, although the probation service was secular, the considerable connections it had with various religious organisations meant that religion inevitably had an influence over the character of probation.

It is not entirely clear what criteria were used to decide who should be placed on probation rather than being sentenced to a fine or to prison. Although age did play an important role,¹ the individual's character and other personal attributes were also likely to influence the magistrate's decision about who might benefit from probation. Previous conviction history was seen as a decisive indicator of a woman's character and her potential for reform. A large number of the women who were put on

probation did not have previous prison sentences, or at least not extensive ones.¹³⁷ However, that was not the only qualifying criteria, as several women placed on probation did have previous convictions, and some even had previously received the full sixty days allowed for a soliciting offence. For example, Isabella Thompson Brown, who in 1921 was sent to the Magdalene Asylum as a condition of her probation, had previously been in prison for twenty days for a solicitation offence.¹³⁸ Similarly, Margaret Leonard, who was described by police officers as a 'convicted prostitute', was at first given another chance 'on account of the time that had elapsed since her last conviction', but was later placed on probation for six months.¹³⁹ Marjory Milner, who was described as 'conducting herself as a prostitute almost nightly' and as being 'always more or less drunk', was also given six months' probation and told to remain in the Magdalene Asylum for the said period.¹⁴⁰ However, although these women were 'convicted prostitutes', the case notes suggest that there were reasons why these particular women may have been seen as potential good candidates for probation. For example, Marjory Milner was described as a 'house wife ... [with] four children under 16 years', and Molly Wilson was described as 'poor and single'.¹⁴¹ These women were seen, not so much as criminals, but as victims of circumstance who needed help rather than punishment.

Roughly a third of all the women put on probation were sent to reform homes for the period of their probation. The others received regular visits from their probation officers and were expected to listen to their advice and to behave accordingly. This could involve them being sent to a new job arranged for them by the probation officer, or abstaining from alcohol and the company of 'immoral types'. Several letters detail the ways in which the probation officers attempted to control and reform the women under their charge. For example, the probation officers regularly visited the homes of the probationers and tried to work with their parents to encourage them to discipline their daughters so that they abided by the conditions of their bonds. In 1917, Reverend Mr MacKinnon (the probation officer for Isabella Shepard Armour) put considerable effort into tracking her down and

¹³⁷ ECA, EBCR.

¹³⁸ ECA, EBCR, 21 July 1921.

¹³⁹ ECA, EBCR, 21 April 1921.

¹⁴⁰ ECA, EBCR, 5 February 1921.

¹⁴¹ ECA, EBCR, 21 April 1921.

attempted to make her leave Edinburgh and return to her parent's home in Blackburn. He worked in close connection with her parents, but they still could not force Armour to leave Edinburgh.¹⁴² Therefore, as was the case in the Magdalene Asylums and the NVASED, probation officers were also involved in the close surveillance and control of women.

However, there are several cases which demonstrate that although the police and probation officers had considerable powers to restrict and regulate prostitutes, many women found ways to evade the methods of surveillance and control employed by the probation officers. As in the cases of Jane Thomson, Jemima Boyle and Elizabeth Wallace, many of the probation reports ended with statements such as 'she has failed to observe the conditions of her bond in the respect that she has been behaving badly and refused to stay in a home.'¹⁴³ In some cases the probation officers gave up hope of reforming certain women. For example, Mrs Baxter, the probation officer for Helen Niven Ramsay, insisted that she would 'have nothing more to do with this girl' because she had left the home to which she had been assigned to, and had 'been in hospital with some disease'.¹⁴⁴ Similarly, the probation officer for Isabella McGregor wrote: 'I am sorry to be unable to keep the girl Isabella McGegore or Powell. She has been a bad influence over the girls in the house'.¹⁴⁵ These women were clearly not willing to be subjected to the loss of freedom imposed on them by the probation bonds.

When the probation officer felt that the woman had broken the conditions of her probation, he or she was expected to report this to the Burgh Court where the magistrates would decide how to proceed. Although the probation officers may not have wanted the women to be sent to prison, the threat of such action would have been useful when trying to encourage women to obey the rules and not to abscond from the asylums. There are, however, examples of probation officers offering expert advice in order to influence the magistrate's decision in favour of the women. For example, in March 1922 the probation officer for Mary Quinn wrote to the magistrate to inform him that 'it would be a great charity and kindness to the girl if

¹⁴² ECA, EBCR, 4 April 1917.

¹⁴³ ECA, EBCR, 10 February 1920; 3 March 1922; 24 November 1921.

¹⁴⁴ ECA, EBCR, 1 April 1921.

¹⁴⁵ ECA, EBCR, 19 January 1921.

she should get into a house for the feeble minded, she is not responsible, and is most certainly not fit to be at large.’¹⁴⁶ In some cases the probation officers tried hard to impress on the magistrates that a particular woman should not be sent to prison. For example, in August 1935 the probation officer for Elizabeth McKinnlay (a woman who had previously been imprisoned for importuning) wrote to the magistrate to explain that Elizabeth was a ‘very well behaved girl, a good worker and appears to be very happy. As I have already stated in my previous letter, whenever this girl is discharged from hospital we hope to be able to place her in a post as a laundry maid in one of the hospitals.’¹⁴⁷ Nevertheless, although the probation officer clearly wanted to ensure Elizabeth did not go to prison, the only other option she considered appropriate for her was domestic work.

Not all of the women rejected the welfare that the probation officers attempted to provide. From the probation reports alone it is difficult to discern more about these women’s experiences of probation or what happened to them afterwards. However, several letters that were included within the probation reports suggest that some of the women responded well to probation (or at least in the way the probation officers intended). For example, Elizabeth Mackinnlay’s probation officer explained how Elizabeth behaved well and that it was ‘her desire to become a laundry maid.’¹⁴⁸ Although these women may not necessarily have resisted the attempts that were made to reform them, they instead took advantage of the opportunities that the probation officers provided and used them as part of a strategy to avoid prison and secure future employment.

Co-operation between the Institutions

The witness and probation reports for the Edinburgh Burgh Court show that the Edinburgh police, magistrates, probation officers and the voluntary organisations all worked together to supervise the behaviour of women on probation and to provide each other with necessary information. For example, in 1916 the probation officer in charge of Isabella Shepherd Armour wrote to the magistrate to declare that she would

¹⁴⁶ ECA, EBCR, 21 March 1921.

¹⁴⁷ ECA, EBCR, 23 August 1935.

¹⁴⁸ Ibid.

'be pleased to receive any instructions from you regarding the case.'¹⁴⁹ The police were also involved in investigating the whereabouts of women on probation. For example, a police officer wrote to the probation officer in charge of Isabella Shepherd Armour to explain that he had 'made inquiries and found that this girl has not been employed in any of the departments at the Waverley Station, neither has she resided at the address given.'¹⁵⁰

Although there are no surviving probation reports for the Glasgow Burgh Courts, it is clear from the Glasgow Magdalene Institute Ladies' Committee minutes that the committee remained keen to work with the local magistrates to ensure that women on probation would be sent to the institution. This co-operation continued well into the twentieth century, and by 1921 an outside agent was appointed to attend the 'police courts daily'.¹⁵¹ When the directors of the Magdalene Institute informed Chief Constable Stevenson that they had appointed a new outside agent, he 'gave a promise of help'.¹⁵² In addition to visiting the police courts, the outside agent also distributed 'invitation cards for fallen women' which invited women who had left the police court to come and join the institution.¹⁵³ Clearly there was considerable co-operation between the police, the probation system and the Glasgow Magdalene Institute. Moreover, the police were happy to let the outdoor workers enter the police courts on a regular basis and were willing to assist them in their endeavours to reform women. For example, in 1926 the committee minutes described how the magistrates in Gateshead on Tyne had arranged a system whereby 'persons from that district were placed in our homes for a period of two years'.¹⁵⁴ Consequently, the directors of the institution corresponded with Chief Constable Stevenson 'with a view to getting this method adopted by the Glasgow magistrates'.¹⁵⁵ They considered the matter so important that they sent a deputation of the institute's directors to the magistrates.

These examples show that some police officers were willing to go to great lengths to help the probation officers. However, the extent of this co-operation was

¹⁴⁹ ECA, EBCR, Isabella Shepherd Armour, 1916.

¹⁵⁰ Ibid.

¹⁵¹ GCA, TD1776/1 GMIHC, 11 November 1921.

¹⁵² Ibid.

¹⁵³ GCA, TD1776/1 GMIHC, 8 November 1898, p. 329.

¹⁵⁴ GCA, TD1776/1 GMIHC, 12 January 1926, p. 143.

¹⁵⁵ Ibid.

varied, and a letter from a probation officer in 1922 suggests that, although some police forces were willing to take the matter seriously, others were less willing to assist probation officers. For example, the matron at the Church of Scotland Home in Paisley wrote to the probation officer Ms MacDonald to explain that she was:

sorry to report that Peggy Wotherspoon or South has disappeared again. The police were at once informed but of course they will do nothing, as usual. The Barrhead police have certainly done what they could to look for the girl there, but Paisley police are much too indifferent to trouble in the matter.¹⁵⁶

Nevertheless, as we have seen in chapter three, several of the Chief Constables in both Edinburgh and Glasgow did feel that prostitutes should be reformed rather than punished. Glasgow Chief Constable Smith was in favour of reform homes, but was concerned about the negative reputation of some homes. In the Annual Report for 1928 he wrote that:

[t]he court should have power to send a girl to a home. Not the home that one usually associates with this class of offence, but a bright and cheery place where all that makes for clean, straight living would be taught, and habits inculcated that would make a girl loathe impurity.¹⁵⁷

Chapter three has shown that whilst many of the police felt sympathetic towards 'these unhappy girls' and thought that they should be sent to places where they would be 'cared for',¹⁵⁸ others were more apathetic. Therefore, the willingness of the police to help the probation officers and voluntary organisations undoubtedly depended, at least in part, on the individual attitudes of the police officers and their superiors.

Maurice Vanstone has shown how traditional accounts of the history of probation have traced the origins of the probation service to the police court missionaries and the pressure placed on the state by humanitarian and Christian movements which called for penal reform.¹⁵⁹ It is clear from the evidence above that voluntary organisations did play an important role in the development of the probation system in Scotland. Considering that these voluntary organisations and probation officers were responsible for the surveillance and control of the women,

¹⁵⁶ ECA, EBCR, 15 June 1922.

¹⁵⁷ GCA, DTC 7/19/1, Glasgow Police Annual Report, 1928.

¹⁵⁸ Merrilees, *The Short Arm of the Law*, p. 64.

¹⁵⁹ Maurice Vanstone, *Supervising Offenders in the Community: A History of Probation Theory and Practice* (Aldershot: Ashgate, 2004).

the fact that they were so closely associated with religious organisations was likely to have had an important impact on their judgment of the probationers. However, Vanstone and Garland argue that although these voluntary organisations were highly influential, it was not simply humanitarian and philanthropic motives that were behind the development of probation. For example, Vanstone argues that probation was a 'class based activity' that justified the existing social order.¹⁶⁰ The fact that probation was so closely allied with Christian charities run by middle-class volunteers meant that their ideology regarding gender, class and sexuality was intertwined with the new probation system, both practically and ideologically. Therefore, it was this link between the voluntary organisations and the probation service that was vital in the establishment of the underlying notion that the successful reformation of women was dependent upon their adoption of respectable feminine behaviour. By classifying women according to whether they fitted this middle-class ideal of respectable femininity, and labelling them as either 'victims' or 'criminals', focus was turned away from the underlying socio-economic reasons that lay behind why women engaged in prostitution, and instead, women's behaviour and 'character' became the key focus of attention.

Conclusion

This chapter has shown how the police, magistrates, probation officers and voluntary organisations all worked together to shape a new response to the regulation of prostitution in Edinburgh and Glasgow in the early twentieth century. Instead of punishing prostitutes by sending them to prison, the police and magistrates increasingly turned to probation and voluntary organisations in an attempt to rehabilitate prostitutes. In order to decide who would benefit from being reformed rather than punished, the police, magistrates and voluntary organisations all attempted to distinguish between 'hardened prostitutes' and 'unfortunate girls'. The distinction between these categories was subjective and changeable, but how exactly the distinction was made ultimately depended on their judgement of a woman's 'character' and the potential likelihood that she could be successfully reformed according to their shared notions of what constituted 'normal' feminine behaviour.

¹⁶⁰ Ibid. p. V111.

The study of the Edinburgh Magdalene Asylum and the Glasgow Magdalene Institute during the first half of the twentieth century has shown that there were some improvements in both institutions since the nineteenth century. The women received a much wider range of recreational activities and 'treats', and there were improvements in the food and the accommodation. However, although the asylums may have developed a more sympathetic approach to reforming these women, the 'inmates' were still expected to work very hard for little or no money, and had their freedom restricted for up to two years. More importantly, the basic underlying principle of training women to adopt middle-class notions of domesticity that had prevailed in the nineteenth century continued well into the twentieth century.

This chapter has shown that after the 1907 Probation Act, the newly developing probation service relied heavily on members of voluntary organisations such as the Magdalene Asylums and the NVA SED to work as probation officers. In addition, the women on probation for prostitution offences were increasingly sent to these voluntary reform homes as part of their probation. Not all of the different voluntary organisations involved in working with prostitutes had reform homes similar to the Magdalene Asylum or held identical views about how best to help these women. For example, the NVA SED followed a more 'case-work' approach and was highly critical of the outmoded institutional methods used by the Magdalene Asylums. Nevertheless, the NVA SED and other voluntary organisations ultimately shared similar middle-class notions regarding women's role within the domestic sphere. Moreover, the fact that the new probation system relied so heavily on these voluntary organisations meant that the approach and ideology of the voluntary organisations were adopted as part of the official method for regulating prostitution. Perhaps most importantly, this trend ingrained into the new probation system the assumption that, whilst some women could be 'saved' through lengthy interference in their personal lives aimed at reshaping their character to fit 'normal' middle-class expectations of femininity, others were 'beyond the pale'. The 'hardened prostitutes' who rejected this reforming framework were therefore treated by both the reform institutes, probation workers and the police as women not worthy of help or sympathy, and instead sent to prison for punishment. The impact that this had on women's experiences of prostitution will be examined further in the subsequent chapters.

Chapter Five: Women's Experiences of Prostitution

Introduction

Whereas the detailed records left behind by institutions such as the Magdalene Asylums or the police and magistrates make it possible to examine the actions and opinions of those who tried to regulate or reform women involved in prostitution, the women's voices are more difficult to uncover. This is a problem that is faced by all social historians when trying to research the lives of marginal people who did not have sufficient access to the resources necessary for preserving their experiences. However, we can gain a small insight into their lives by examining their interactions with institutions such as the poor law, reform homes, the probation service, the police, courts, prisons, hospitals and religious organisations.

Historians of the nineteenth century have used the records from these types of organisations to begin to patch together women's experiences of prostitution. For example, Frances Finnegan's study of prostitution in York focuses on the extreme poverty and lack of economic opportunities which drove women to work as prostitutes.¹ Finnegan's detailed descriptions of the difficulties these women experienced offer a rare insight into the lives of women involved in prostitution. However, as Finnegan admits, her use of court proceedings, refuge and poor law records means that the emphasis is inevitably on those women who were 'unsuccessful'. Moreover, historians and feminists have argued that this type of research, which focuses on prostitutes as 'victims', can have negative implications, and often leads to the loss of women's historical agency.

However, historians such as Judith Walkowitz, Linda Mahood and Victoria Harris have begun to address this problem.² Mahood examines women's experiences inside reform homes during the nineteenth century, including their attempts to resist the reforming influence of these organisations. This chapter, however, will not only focus on women in reform homes, but also the experiences of women in a wide range

¹ Finnegan, *Poverty and Prostitution: A Study of Victorian Prostitutes in York* (Cambridge: Cambridge University Press, 1979).

² Judith Walkowitz, *Prostitution and Victorian Society: Women, Class, and the State* (Cambridge: Cambridge University Press, 1980); Victoria Harris, *Selling Sex in the Reich* (Oxford: Oxford University Press, 2010); Linda Mahood, *The Magdalenes: Prostitution in the Nineteenth Century* (London: Routledge, 1990).

of different circumstances. Walkowitz's study of nineteenth-century prostitution examines the ways in which women resisted attempts made by the authorities to control their lives and to turn them into social outcasts, arguing that these women 'made their own history, albeit under very restricted conditions'.³ Walkowitz explains how the enforcement of the Contagious Diseases Acts generated considerable amounts of documentary material that provides a unique insight into state methods of surveillance and control, and a window onto the lives of women within working-class communities and their numerous instances of resistance. However, Walkowitz concludes by suggesting that the eventual successful repeal of the Acts brought about the rise of the social purity movement which led towards the development of a less tolerant attitude towards morality, respectability and prostitution in the early twentieth century. Conversely, this chapter will argue that attitudes towards prostitution in Edinburgh and Glasgow did not necessarily become less tolerant, and that prostitute women continued to engage in 'moments of resistance' against those who attempted to control and reform them.

By cross-referencing different sources, such as the records of the Edinburgh and Glasgow police, the courts, the Magdalene Asylums, the Probation Service, newspaper reports and Poor Law records, it is possible to create a collective biography of the men and women who were involved in prostitution. By collecting the details of over 1,000 women incarcerated in Glasgow Duke Street Prison for solicitation offences into an Excel database, I took a random sample of one hundred of these women and searched for their names in the poor law records.⁴ The Criminal Conviction Registers of the Edinburgh police were also used to provide details of women's criminal histories.⁵ Additionally, I used witness statements from the more detailed court cases, often those relating to brothel cases or the Immoral Traffic Act, because these were held in the Sheriff or High Court and therefore often included precognitions. The witness statements and case details taken in probation cases also provide detailed information about the women. Finally, the names of the women found in these different ways could then be searched for in Scottish newspapers, such as the *Scotsman*. However, the amount of information available for each person

³ Walkowitz, *Prostitution and Victorian Society*, p. 9.

⁴ Sample taken from 1902, 1911, 1921 and 1931. See chapter one for further details, pp. 24-25.

⁵ For further information on this source see, chapter one, p. 25.

varies significantly. In some cases, it is possible to make an outline of the significant events that occurred throughout a woman's life, whereas in other cases only one instance in a person's life is available for analysis. I have chosen to focus on the women who had the most detailed records, but examples from a much wider sample of one hundred women will also be used to help elaborate on some of the key themes. Therefore, when brought together, this information helps to create a collective biography which can shed light on the lives of the people involved in prostitution.

The first section of the chapter explores some of the major themes that shaped women's lives, such as poverty, desertions, the burden of illegitimate children, nationality, age, illness, alcohol abuse and institutionalisation. By examining women's involvement in prostitution throughout their life cycles, this section of the chapter will explore the reasons why women entered or exited prostitution at different stages during their lives. The second section examines the relationship between prostitution and other types of crime. The third section will look more closely at the different and highly complex relationships between 'prostitutes', 'pimps' and 'brothel-keepers'. By focusing in-depth on individual case studies this section will explore the different types of relationships that existed between these people, in terms of both power and exploitation, but also their more intimate and emotional involvements. The fourth and final section will explore some of the ways in which women resisted the authorities' attempts to control and police their behaviour.

The Life Cycles of Women Involved in Prostitution

Mary Muirhead was born on 13 September 1874 in Saltcoats, North Ayrshire, to parents Joseph and Isabella Muirhead.⁶ Her father was described as an iron-moulder, but less is known about her mother, other than the fact that she died prior to 1905 and that Mary's father subsequently remarried. On 1 January 1900, twenty six-year-old Mary married twenty-year-old David Johnstone, a labourer from Castle Finn, Ireland. Mary was two months pregnant on her wedding day, and on 5 July 1900 her first daughter, Elizabeth, was born. In January 1902 Mary delivered a still-born baby. On 10 January 1903, her first son, David, was born, and on 17 June 1905 she gave birth

⁶ Glasgow City Archives (hereafter GCA), D-Hew 17/56 Glasgow Poor Law Records (hereafter GPLR), case of Mary Muirhead, p. 78723.

to her second son, Robert. During this period the poor law records show that she moved every few months between different addresses in Govan and Glasgow.⁷

By 1905 Mary was described as 'separated' from her husband and working as a cleaner. During this period she relied on the 15 shillings a week compensation her husband received after an injury at work. However, by 23 November 1905 it appears that the money had run out, and she applied to the poor law guardians for assistance.⁸ The poor law records show that Mary and her children remained sporadically at the poorhouse throughout 1906. During this period, her husband's parents, David Johnstone and Elizabeth Osborne, came from Ireland to encourage their son to return with them. They were willing to take the children, but would have 'nothing whatsoever to do with [Mary]' due to her 'disreputable behaviour'.⁹ David and the eldest child moved to Ireland, but Mary stayed in Scotland with the two younger children. In 1907 Mary was sentenced to seven days' imprisonment for theft and in 1911 for importuning for the purposes of prostitution.¹⁰ Over the next six years, David was arrested for desertion several times and was convicted three times, receiving sentences ranging from forty days to four months. Meanwhile, Mary and the children returned frequently to the poorhouse. On 31 January 1912, Mary was sent to Barnhill poorhouse, suffering from bronchitis, and was described as 'mak[ing] a livelihood by immoral earnings'. By the end of 1912, Mary's seven-year-old son Robert had died in hospital, and in 1917 Mary's absent husband died in a Liverpool hospital. No further information is recorded about Mary after this point.

Occupation and Employment Patterns

This story of abandonment, poverty and illness highlights the difficulties that many women faced. It would appear that Finnegan's statement that 'poverty was the result as well as the cause of their taking to prostitution', which referred to the nineteenth century, could also be applied to the early twentieth century.¹¹ Like Mary, a large majority of the women involved in prostitution came from working-class

⁷ Ibid.

⁸ GCA, D-hew 16/12/12, GPLR, case of Mary Muirhead, p. 3327.

⁹ Ibid.

¹⁰ National Records of Scotland (hereafter NRS), HH21/32 Duke Street Prison Register, 1907 and 1911.

¹¹ Finnegan, *Poverty and Prostitution*, p. 17.

backgrounds. In the registers of the Duke Street Prison in Glasgow the women convicted of prostitution offences were mainly described as being employed in activities commonly associated with female working-class occupations during this period, such as cleaning, laundry, sewing, hawking, domestic service and textile work. For example, figures 5.1- 5.4 illustrate the occupations of the women who had been arrested for importuning and sent to Duke Street Prison.

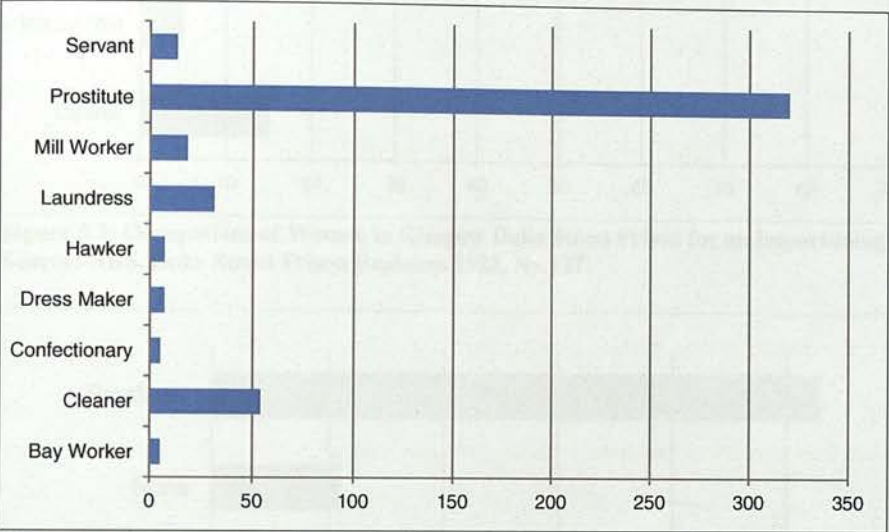


Figure 5.1: Occupations of Women in Glasgow Duke Street Prison for an Importuning Offence.
Source: NRS, Duke Street Prison Registers 1903. N = 460

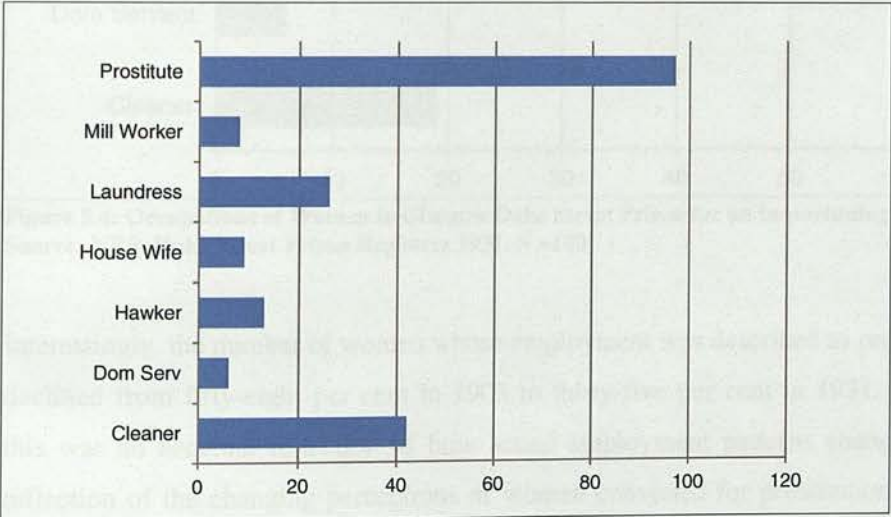


Figure 5.2: Occupations of Women in Glasgow Duke Street Prison for an Importuning Offence.
Source: NRS, Duke Street Prison Registers 1911. N = 201

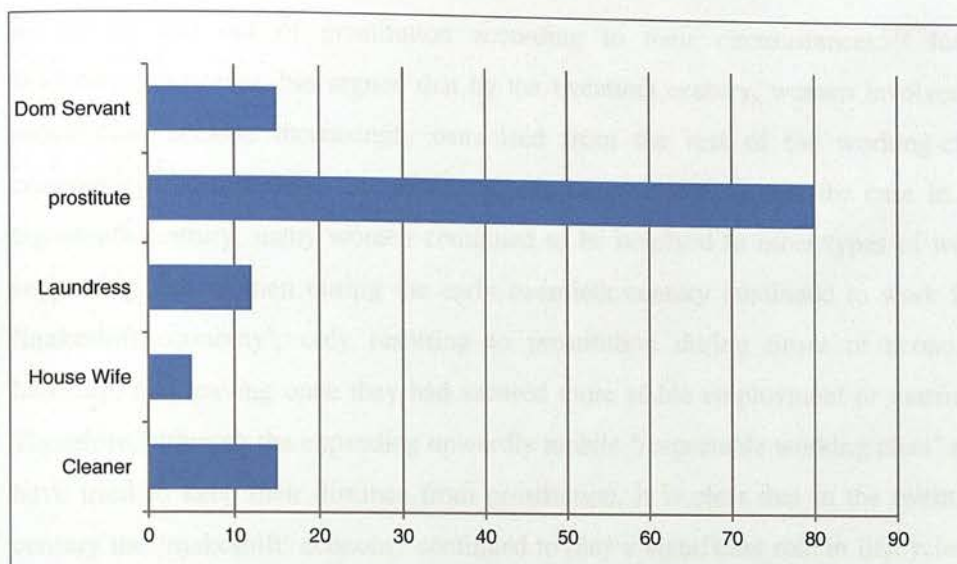


Figure 5.3: Occupations of Women in Glasgow Duke Street Prison for an Importuning Offence.
Source: NRS, Duke Street Prison Registers 1921. N= 127

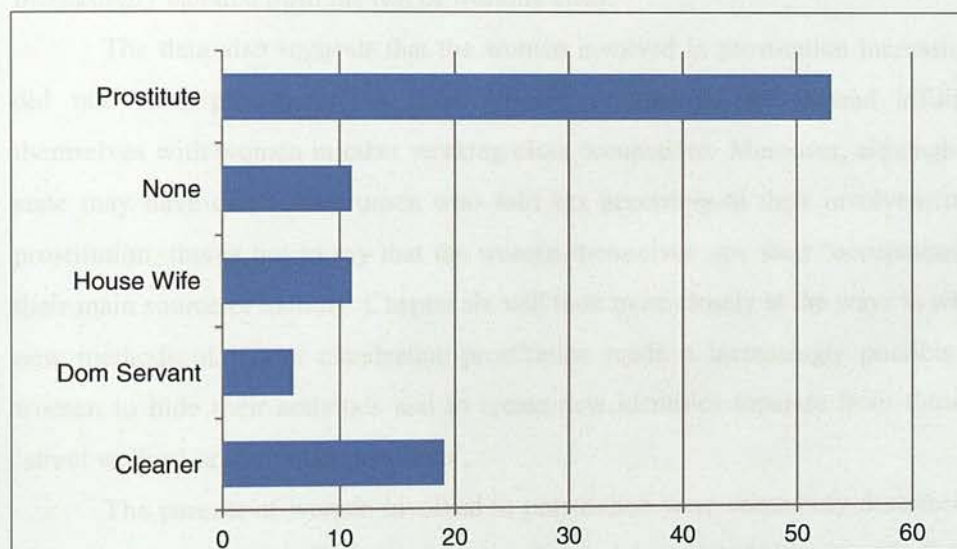


Figure 5.4: Occupations of Women in Glasgow Duke Street Prison for an Importuning Offence.
Source: NRS, Duke Street Prison Registers 1931. N =100

Interestingly, the number of women whose employment was described as prostitution declined from fifty-eight per cent in 1903 to thirty-five per cent in 1931. Whether this was an accurate reflection of how actual employment patterns changed, or a reflection of the changing perceptions of women convicted for prostitution and the prison officials who compiled the data, remains unclear. Tony Henderson has shown how during the eighteenth century ‘economies of makeshift’ meant that women

moved in and out of prostitution according to their circumstances.¹² Judith Walkowitz, however, has argued that by the twentieth century, women involved in prostitution became increasingly ostracised from the rest of the working-class community.¹³ Conversely, the prison records suggest that, as was the case in the eighteenth century, many women continued to be involved in other types of work, suggesting that women during the early twentieth century continued to work in a 'makeshift economy', only resorting to prostitution during times of economic hardship, and leaving once they had secured more stable employment or marriage. Therefore, although the expanding upwardly mobile 'respectable working class' may have tried to keep their distance from prostitution, it is clear that in the twentieth century the 'makeshift' economy continued to play a significant role in lifecycles of women involved in prostitution, and thus the women were not necessarily increasingly isolated from the rest of working class.

The data also suggests that the women involved in prostitution increasingly did not view prostitution as their primary occupation and instead affiliated themselves with women in other working-class occupations. Moreover, although the state may have classified women who sold sex according to their involvement in prostitution, this is not to say that the women themselves saw their 'occupation' as their main source of identity. Chapter six will look more closely at the ways in which new methods of indoor clandestine prostitution made it increasingly possible for women to hide their activities and to create new identities separate from those of 'street walker' or 'common prostitute'.

The parents of women involved in prostitution were commonly described as non-skilled or semi-skilled workers, such as labourers, colliers, and factory workers.¹⁴ However, like Mary Muirhead's father who was an iron-moulder, a considerable minority were described as skilled workers, such as engineers and joiners.¹⁵ Additionally, several of the women, such as Peggy Drummond and

¹² Tony Henderson, *Disorderly Women in Eighteenth-Century London: Prostitution and Control in the Metropolis, 1730-1830* (London: Longman, 1999), p. 16.

¹³ Walkowitz, *Prostitution and Victorian Society*, p. 213.

¹⁴ GCA, Glasgow Magdalene Institute Annual Reports (hereafter GMIAR) for the years 1906, 1907, 1909, 1910.

¹⁵ Ibid.

Margaret Ross were described as coming from 'very respectable people.'¹⁶ Increasing wages during this period meant that for women with parents in regular employment it was unlikely that their families' poverty alone was the reason they entered prostitution. It could be argued, therefore, that the reduction in primary poverty during the early twentieth century reduced the number of women who needed to sell sex to survive. However, irregular or seasonal work, along with high unemployment in some industries during the inter-war years, meant that many families experienced extreme hardship during this period, and therefore a desire to avoid poverty and a lack of alternative economic opportunities can certainly not be ruled out as important factors behind why some women chose to enter prostitution.¹⁷

'Broken Homes': Women's Family Circumstances

Mary Muirhead's mother and stepmother were both described as 'deceased'. The death or desertion of one parent or both of them was not uncommon during this period, and many of the women engaged in prostitution were described as orphans and half orphans. For the years 1906, 1907, 1909, 1910, and 1915, the Magdalene Asylum Records show that on average forty-one per cent of the women were described as orphans, and only twenty-five per cent had both parents alive.¹⁸ Not only did this mean less economic security; the emotional impact and lack of family support networks may also have contributed to their move into prostitution. Moreover, there are several cases of women coming from violent and abusive homes. For example, twenty-year-old Isabella Shepard Armour claimed that she originally left her home in Blackburn 'on account of her father's harshness'.¹⁹ However, the probation worker reported that she did not think that this was a fair assessment of the situation and described how:

The father was at home when I called and expressed great indignation at such a charge being made against him. The other members of the family support the father, and my own personal observation bears out the truth

¹⁶ ECA, EBCR, case of Margaret Ross, 8 March 1920; ECA, EBCR, case of Peggy Drummond, 12 December 1936.

¹⁷ For more on women's economic situation during this period see, for example, E. Breitenbach and E. Gordon, (eds), *The World is Ill divided: Women's Work in Scotland in the Nineteenth and Early Twentieth Centuries* (Edinburgh: Edinburgh University Press, 1990).

¹⁸ GCA, GMIAR, 1906, 1907, 1909, 1910, 1915.

¹⁹ EBC, EBCR, case of Isabella Shepard Armour, 27 October 1916, letter written by the probation officer, Reverend R.B Mackinnon on 12 January 1917.

of his statement. The parents are doing everything in their power to save their daughter from a life of misery.²⁰

Exactly why she ran away from home is uncertain; however, it is clear that unhappiness at home played an important role. Whether this was due to physical or emotional abuse, the death or desertion of parents, or a desire to leave an unhappy family situation in search of new opportunities, it is clear that many of the women came from unstable homes.

Rather than being born into poverty, it appears that the desertion of Mary Muirhead's husband had the most detrimental effect on her life. It is only possible to speculate on the reasons why her husband deserted her and their three young children; however, the fact that Mary was two months pregnant when they married may suggest the wedding had been rushed. Although couples often married as a result of pregnancy, it may not have been the best basis for a long lasting marriage. Nonetheless, regardless of the mitigating circumstances, the fact remains that Mary was left alone to support herself and three children, a common theme which can be seen throughout the Poor Law and Burgh Court records. For example, in 1902 thirty-six-year-old Margaret Mackie or Douglas from Glasgow described how her husband Robert Douglas had deserted her three years earlier whilst they were in London and how she had returned to Glasgow to try to find him, 'but to no avail'.²¹ Margaret was described as 'destitute' and making her 'living on the streets'.²² Similarly, in 1897 Agnes McKenzie or Fraser explained how after she married John Fraser they lived in a New Lanark Cooperative house for six years until he deserted her and moved in with another woman in Motherwell.²³ Later she described how she left him 'owing to his cruelty' because he had 'infected her with a venereal disease' and that she knew 'nothing of his whereabouts'.²⁴

Not only was desertion or widowhood a common problem that these women faced, but caring for young children without support from the children's father was an additional burden for many. For example, when twenty-year-old Bridget Collins or Tolland from Ireland was deserted by her husband James Tolland, she was left to

²⁰ Ibid.

²¹ GCA, D-Hew 15/5/11-3167, GPLR case of Margaret Mackie or Douglas.

²² Ibid.

²³ GCA, D-Hew 17/424 -25115, GPLE, case of Agnes McKenzie or Fraser.

²⁴ Ibid.

care for her two-year-old daughter, Hannah, alone.²⁵ Similarly, after thirty-five-year-old Elizabeth Houghton or Pretsell separated from her husband, 'owing to him carrying on with another woman', she had to support three daughters, Florence, aged thirteen, Elsie, aged nine and Joan, aged four.²⁶

Although women's wages were rising during this period, there was still a strong emphasis on the role of the 'male breadwinner'.²⁷ Women earned considerably less than men and were often the first to be laid off when redundancies had to be made. Without the support of another earner, it would have been very difficult to financially support a young family whilst also providing the necessary child care.²⁸ Many women relied on the support of their friends and family, with both parents and siblings helping to provide childcare. For example, Margaret Mackie's 'fourteen-year-old daughter Bessie lived with her uncle', and Agnes Mckenzie's daughter lived with her grandmother in New Lanark.²⁹ Nevertheless, prostitution offered higher wages than any other typical working-class women's employment, and necessitated far fewer hours of work, something especially helpful for women with children to support and care for.

Unsettled Lives: Migration and Immigration

Mary Muirhead's extensive list of different home addresses illustrates her transient way of life. She was rarely listed as staying at the same address for more than three months and was constantly moving between Govan and Glasgow. Many of the other women involved in prostitution also appear to have led unsettled lives, with some moving much further distances than Mary. For example, in 1910 twenty-three-year-old Elizabeth Miller 'left her father's house in Liverpool to go to Glasgow' to work as a cleaner, but ended up importuning on the streets of Glasgow.³⁰ Similarly, in 1917 nineteen-year-old Ruby O'Connor was reported to have originally moved to London from Cork to work as a domestic servant, but after the birth of a son (who

²⁵ GCA, D-Hew 17/367-392, GPLR, case of Bridget Collins or Tolland.

²⁶ Edinburgh City Archives (hereafter ECA), Edinburgh Burgh Court records (hereafter EBCR) 15 October 1919, case of Elizabeth Houghton or Prestell.

²⁷ See, for example, Breitenbach and Gordon, *The World is Ill Divided*.

²⁸ Ibid.

²⁹ GCA, D-Hew 15/5/11 -3167, GPLR case of Margaret Mackie or Douglas; GCA, D-Hew 17/424 - 25115, GPLE, case of Agnes McKenzie or Fraser.

³⁰ GCA, D-Hew 16/7/7-2005 GPLR, case of Elizabeth Miller.

subsequently died), she moved to Glasgow where she worked as a prostitute.³¹ The Glasgow Duke Street Prison registers show that the women imprisoned for importuning offences came from a wide range of towns, cities and countries. Figure 5.5 demonstrates that although the majority of women reported Glasgow as their place of birth, several other cities within Scotland, England and Ireland – such as Edinburgh, London and Dublin – were also commonly recorded in 1903.

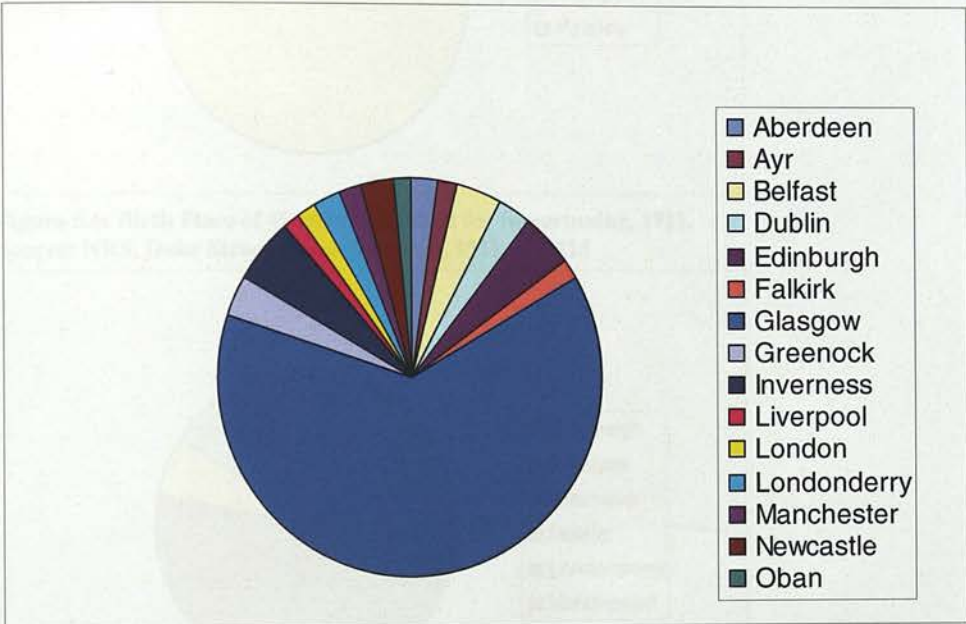


Figure 5.5: Birth Place of Women Convicted for Importuning, 1903.
Source: NRS, Duke Street Prison Registers, 1903. N= 332

Figures 5.6, 5.7 and 5.8 (referring to 1911-1931) show that although women continued to come from similar locations around Scotland, England and Ireland, there were considerably fewer women from outside of Scotland, and Glasgow in particular. For example, in both 1911 and 1931 all the hometowns recorded were in Scotland, and in 1921 only three were outside of Scotland.

³¹ GCA, D-Hew 16/14/370-59733, GPLR, case of Ruby O'Connor.

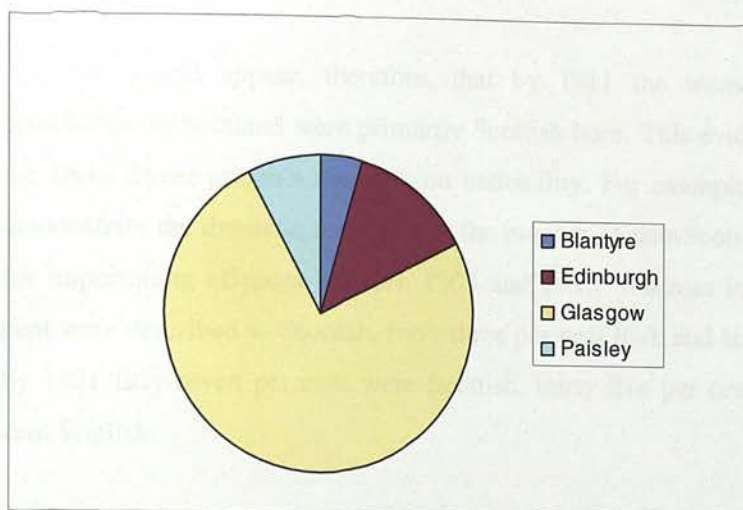


Figure 5.6: Birth Place of Women Convicted for Importuning, 1911.
 Source: NRS, Duke Street Prison Registers, 1911. N = 115

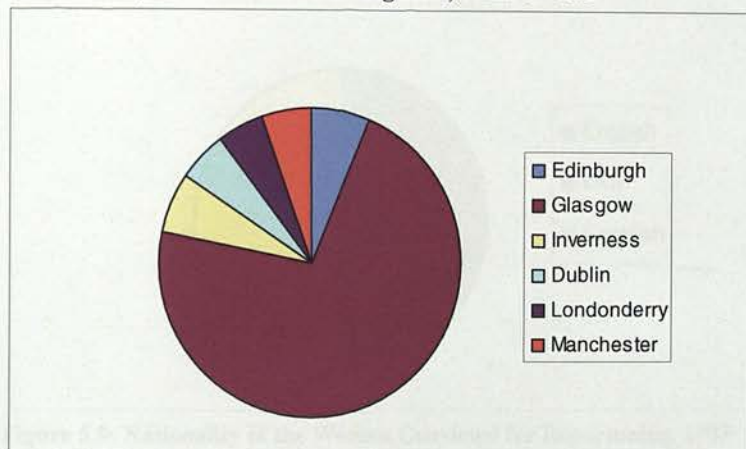


Figure 5.7: Birth Place of Women Convicted for Importuning, 1921.
 Source: NRS, Duke Street Prison Registers, 1921. N = 77

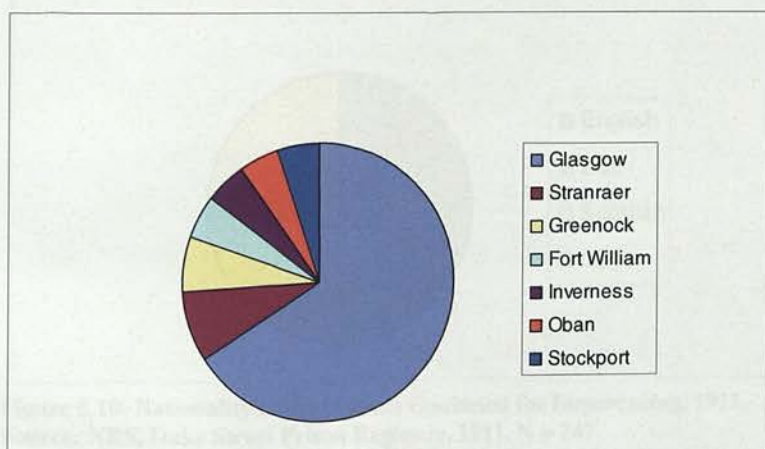


Figure 5.8: Birth Place of Women Convicted for Importuning, 1931.
 Source: NRS, Duke Street Prison Registers, 1931. N = 61

It would appear, therefore, that by 1911 the women who engaged in prostitution in Scotland were primarily Scottish born. This evidence is supported by the Duke Street prison's statistics on nationality. For example, figures 5.9 to 5.12 demonstrate the dramatic reduction in the number of non-Scottish women convicted for importuning offences between 1903 and 1931. Whereas in 1903 forty-nine per cent were described as Scottish, forty-three per cent Irish and six per cent as English, by 1921 fifty-seven per cent were Scottish, thirty-five per cent Irish and eight per cent English.

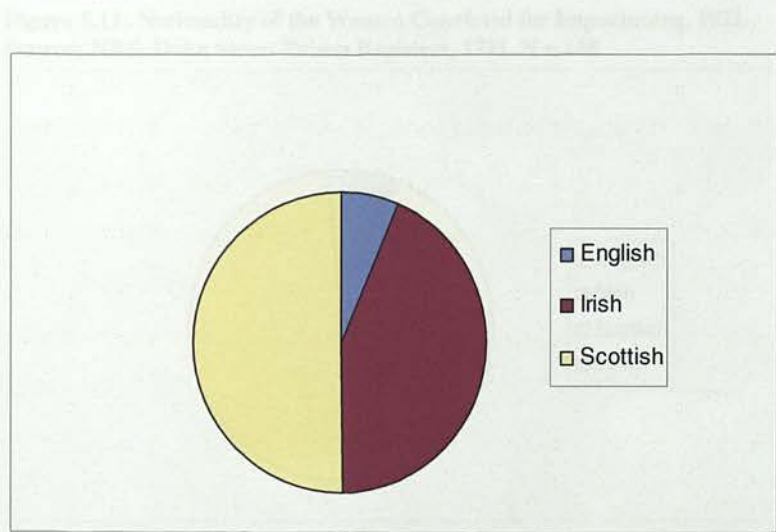


Figure 5.9: Nationality of the Women Convicted for Importuning, 1903
 Source: NRS, Duke Street Prison Registers, 1903. N = 542

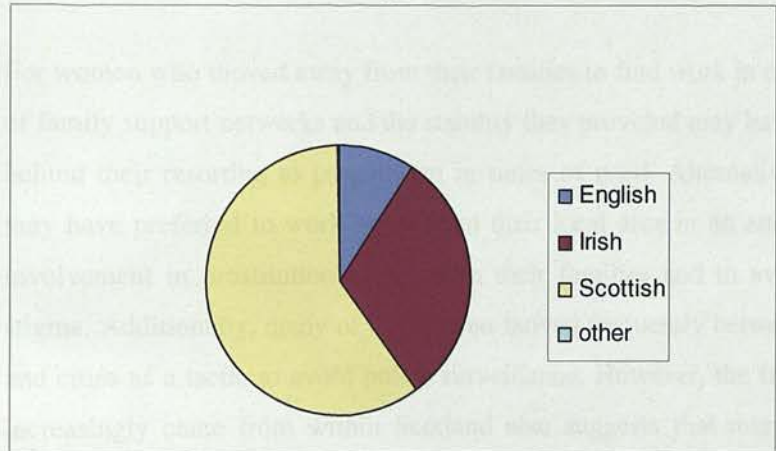


Figure 5.10: Nationality of the Women Convicted for Importuning, 1911.
 Source: NRS, Duke Street Prison Registers, 1911. N = 247

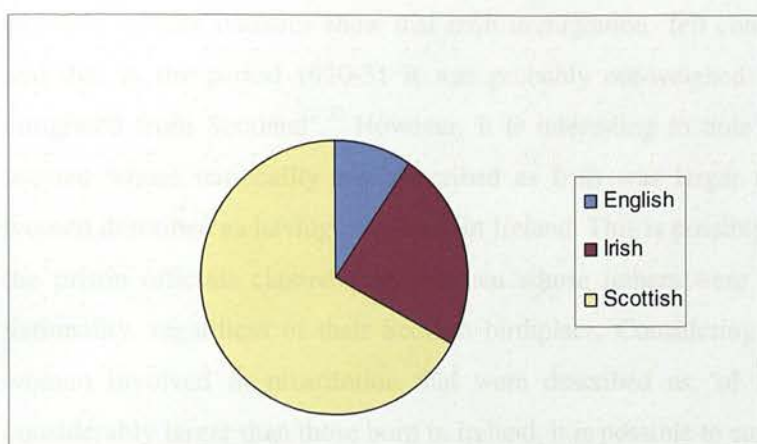


Figure 5.11: Nationality of the Women Convicted for Importuning, 1921.
Source: NRS, Duke Street Prison Registers, 1921. N = 148

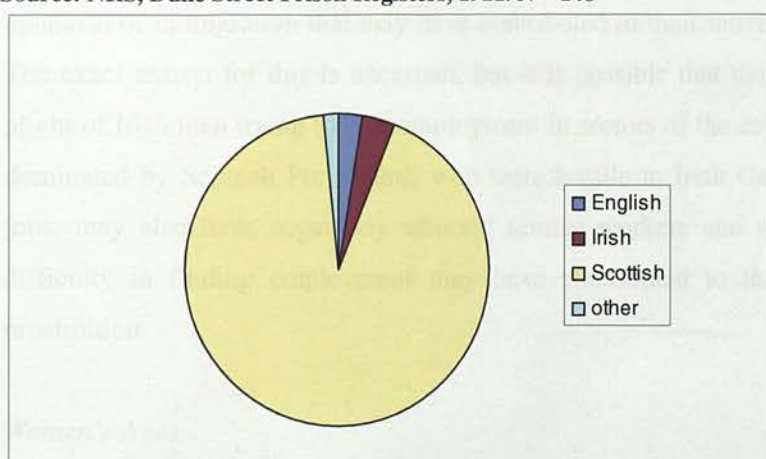


Figure 5.12: Nationality of the Women Convicted for Importuning, 1931.
Source: NRS, Duke Street Prison Registers, 1931. N = 115

For women who moved away from their families to find work in other areas, the loss of family support networks and the stability they provided may have been one reason behind their resorting to prostitution in times of need. Alternatively, some women may have preferred to work away from their local area in an attempt to keep their involvement in prostitution secret from their families and to avoid the associated stigma. Additionally, many of the women moved frequently between different towns and cities as a tactic to avoid police surveillance. However, the fact that the women increasingly came from within Scotland also suggests that migrant workers were playing a less significant role in the sex industry by the end of the inter-war period.

The reduction in the number of Irish women involved in prostitution in Scotland corresponds with a general decline in the rate of Irish immigration. For

example, census statistics show that Irish immigration 'fell consistently after 1900, and that in the period 1920-31 it was probably out-weighted by those Irish who emigrated from Scotland'.³² However, it is interesting to note that the number of women whose nationality was described as Irish was larger than the number of women described as having been born in Ireland. This is possibly due to the fact that the prison officials classed those women whose fathers were Irish to be of Irish nationality, regardless of their Scottish birthplace. Considering that the number of women involved in prostitution that were described as 'of Irish nationality' is considerably larger than those born in Ireland, it is possible to suggest that it was due to prejudice towards their association with the Irish community, rather than the upheaval of immigration that may have contributed to their move into prostitution.³³ The exact reason for this is uncertain, but it is possible that the difficult economic plight of Irish men trying to find employment in sectors of the economy traditionally dominated by Scottish Protestants, who were hostile to Irish Catholics taking their jobs, may also have negatively affected female workers and wives.³⁴ If so, their difficulty in finding employment may have contributed to their movement into prostitution.

Women's Ages

Figures 5.13 to 5.16 show that throughout the whole period the majority of women convicted of importuning were aged between twenty-one and thirty-five. By the 1920s and 1930s the age range declined, and the number of twenty-one to twenty-five-year-olds increased. Whereas in 1903 and 1911 there were a notable number of women in their mid-to-late thirties and forties, by 1931 this age group had declined. This suggests that prostitution was increasingly a temporary job that women engaged in whilst they were young and left when they were older. Judith Walkowitz's research on nineteenth century prostitution has shown how 'for practical and psychological reasons, most women were probably ill equipped to endure the rigors

³² Graham Walker, *Intimate Strangers: Political and Cultural Interaction Between Scotland and Ulster in Modern Times* (Edinburgh: John Donald, 1995), p. 65.

³³ See, for example, Tom Gallacher, *Glasgow and the Uneasy Peace, Religious Tensions in Modern Scotland, 1819 - 1914* (Manchester: Manchester University Press, 1987); P. Panayi, *Immigration, Ethnicity and Racism in Britain, 1815-1845* (Manchester: Manchester University Press, 1994).

³⁴ Walker, *Intimate Strangers*, p. 65.

of the “profession” for more than a few years’.³⁵ It would appear that the same was true in the early twentieth century, and that prostitution was increasingly only a temporary stage in women’s lives before they married or found new economic opportunities.³⁶ Thus, after a short period, the women re-joined the working-class community, if indeed they had ever left it in the first place. Whereas some historians have argued that women involved in prostitution were increasingly ostracized from working-class communities due to increased repression, the continued decline in the age range of the women suggests that the women were capable of returning to working-class occupations once they left prostitution and were not necessarily labelled as ‘prostitutes’ for their entire lives.

Additionally, the prison records also show that the number of very young women who engaged in prostitution, especially those in their teenage years, declined dramatically throughout the period. As seen in chapter four, it is highly likely that this reflects an increase in the number of young women put on probation rather than being sent to prison. In particular, the 1908 Children’s Act meant that girls under sixteen were classed as minors and therefore sent to industrial schools as ‘children in need of care or protection’, rather than being sent to prison.³⁷

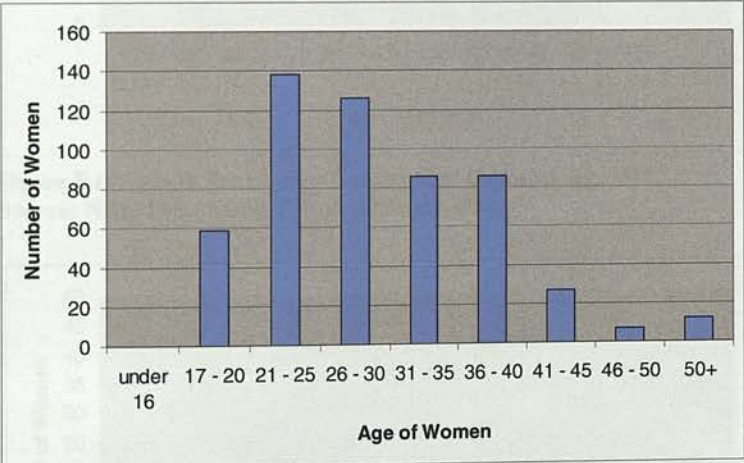


Figure 5.13: Age of the Women Convicted of Importuning, 1903.
Source: NRS, Duke Street Prison Registers 1903.

³⁵ Walkowitz, *Prostitution and Victorian Society*, p. 196.

³⁶ Ibid.

³⁷ The Children’s Act 1908 (8 Edw. 7c. 67).

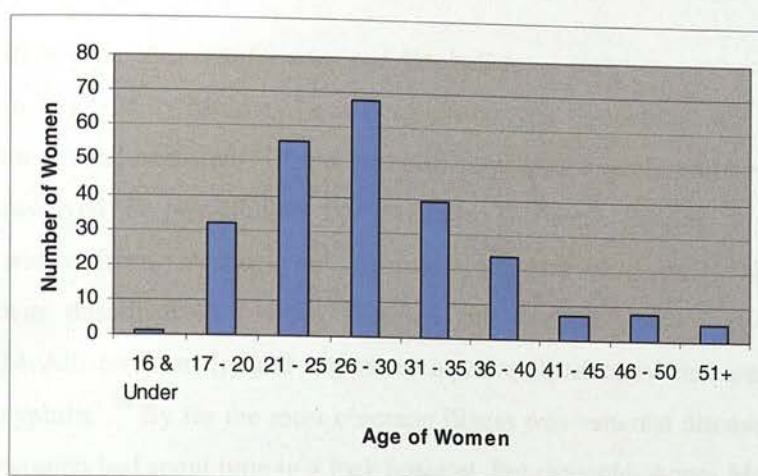


Figure 5.1 4: Age of the Women Convicted of Importuning, 1911.
Source: NRS, Duke Street Prison Registers 1911.

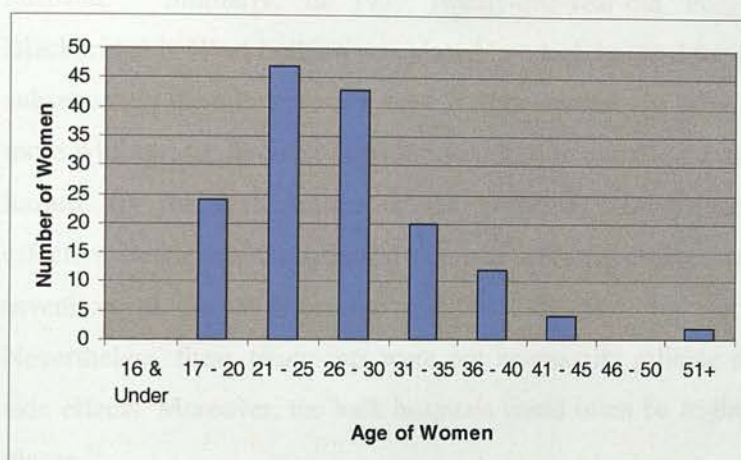


Figure 5.15: Age of the Women Convicted of Importuning, 1921.
Source: NRS, Duke Street Prison Registers 1921.

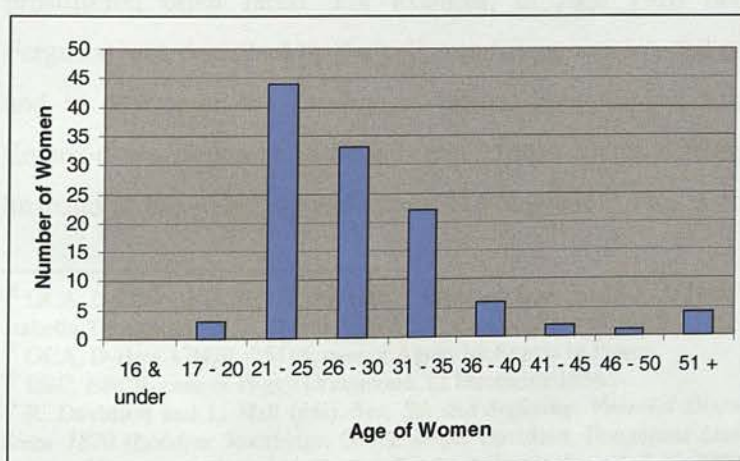


Figure 5.16: Age of the Women Convicted of Importuning, 1931.
Source: NRS, Duke Street Prison Registers 1931.

Ill Health, Venereal Disease and Alcoholism

In 1912, Mary Muirhead was hospitalised with 'bronchitis' and sent to an infirmary on several occasions. Illness was also something experienced by many other women involved in prostitution. For example, Elizabeth Erskine, a forty-eight-year-old widow from Greenock had 'dropsy'; forty-year-old Isabella Thomson from Alloa was described as 'wholly disabled and destitute'; and thirty-six-year-old Mary McAllister from Ireland was noted to have 'headaches' that were 'probably due to syphilis'.³⁸ By far the most common illness was venereal disease, and several of the women had spent time in a lock hospital. For example, Agnes McKenzie had been in a lock hospital on several occasions and blamed her infection on her unfaithful husband.³⁹ Similarly, in 1935 twenty-one-year-old Peggy Drummond from Blackbridge in West Lothian was placed in a lock hospital for six months, where she subsequently gave birth to her baby.⁴⁰ Although the use of condoms was becoming more widespread, frequent exposure to infection remained a dangerous occupational hazard. By the first decades of the twentieth century, accurate diagnoses and effective treatments for venereal diseases were becoming available, thanks to the invention of the Wassermann test in 1906 and the discovery of Salvarsan. Nevertheless, these treatments were not necessarily reliable or without unpleasant side effects. Moreover, the lock hospitals could often be frightening and unpleasant places.⁴¹

Alcohol abuse was another serious problem the women involved in prostitution often faced. For example, in June 1920 twenty-year-old Marion Ferguson was described by the police as having recently 'taken to drinking heavily', and in March of the same year, twenty-three-year-old Elizabeth Livingston or Emerson was reported to have begun 'drinking pretty heavily' after she left her husband in New Zealand and returned to Scotland.⁴² This is only a small fraction of

³⁸ GCA, D-Hew 16/13/358-53559, case of Elizabeth Erskine; GCA, D-Hew 16/6/3-733, case of Isabella Thompson; GCA, D-hew 16/6/3-720, case of Mary McAlister.

³⁹ GCA, D-Hew 17/424 -25115, case of Agnes McKenzie or Fraser.

⁴⁰ EBC, EBCR, case of Peggy Drummond, 12 December 1936.

⁴¹ R. Davidson and L. Hall (eds), *Sex, Sin and Suffering: Venereal Disease and European Society Since 1870* (London: Routledge, 2001); Roger Davidson, *Dangerous Liaisons: a Social History of Venereal Disease in Twentieth-Century Scotland* (Amsterdam: Rodopi, 2000).

⁴² ECA, EBCR, case of Marion Ferguson, 28 June 1920; ECA, EBCR, case of Elizabeth Livingston, 22 March 1920.

the cases which involved alcohol, and there were many more instances where women were described as drunk at the time of their arrest but were not necessarily alcoholics. By the 1920s there was even a specific section of the witness report dedicated to noting whether the accused was sober or drunk when arrested. From sampling these reports, it is possible to estimate that roughly half of all the women apprehended for importuning were reported as under the influence of alcohol at the time of their arrest.

Alcohol and prostitution have long been associated with each other. Whereas today sociologists have shown how in some situations women who are dependent on drugs turn to prostitution as a way to fund their addiction, it could be argued that a similar scenario applied to those women who were dependant on alcohol in the nineteenth and early twentieth centuries.⁴³ However, as with uncertainty surrounding the correlation between drug dependency and prostitution, it could be argued that alcohol was used as a coping mechanism once women had already turned to prostitution. From the court and police files alone, it is difficult to assess a woman's overall lifestyle and relationship with alcohol. A large number of the reports describe the women as 'drunk' at the time of their arrest, and many give descriptions of their drunken behaviour. The Criminal Conviction Registers also show that women were often charged on separate occasions for drunk and disorderly behaviour. Evidently alcohol was frequently consumed by many of the women involved in prostitution; however, the extent to which this differed from other working-class women's drinking habits, or constituted 'alcoholism', is much harder to establish.⁴⁴ The fact that many of the women were described as 'sober' suggests that alcohol did not play a large part in all of the women's lives.

Institutions

It was not only to the infirmary and lock hospital that the women involved in prostitution were frequent visitors. Several of the women also spent considerable

⁴³ See, for example, Neil McKeganey, 'Street Prostitution in Scotland: The Views of Working Women', *Drugs: Education, Prevention and Policy*, 13, 2 (2006) pp. 151–166; L. Holmes, 'A Tale of Three Cities: Regulating Street Prostitution in Scotland', *Scottish Affairs*, 52 (2005) pp. 71–88.

⁴⁴ See, for example, T.C. Smout, *A Century of the Scottish People 1830-1950* (London: Fontana, 1986); Brian Harrison, *Drink and the Victorians: The Temperance Question in England, 1815-1872* (London: Faber and Faber, 1971).

periods of time in a variety of different institutions, such as Magdalene Asylums, Industrial Schools, refuge shelters, poorhouses and prisons. For example, in 1919 eighteen-year-old Isabella McGregor or Powell was arrested for soliciting and placed on probation.⁴⁵ She was originally instructed to reside at St. Andrews House at Joppa in Midlothian under the care of the Sister in charge. However, when the Sister wrote to the magistrates to explain that the home was 'unable to keep the girl Isabella McGregor or Powell [because] she has been a bad influence over the girls in the house', McGregor was instead sent to 14 Dublin Street in Edinburgh under the care of Jane Sibbald.⁴⁶ After failing to uphold her probation bonds due to her 'bad conduct', she was sentenced to thirty days in prison. The Magdalene Asylum offered the women an alternative place where they could go to for support, but only if they could prove that they desired to leave prostitution and to become a 'reformed', 'respectable' member of the working class. In addition to time spent in the poorhouse and hospital, Mary McAllister, Isabella Thomson and Margaret Mackie or Douglas all spent time in Magdalene Asylums. Additionally, as described in chapter four, the Magdalene Asylum was increasingly used by the Burgh Court as a location to detain women on probation. The women also spent time in several other types of shelters, such as the Convent of the Good Shepherd in Colinton, St Gerrards Mother and Baby Home in Glasgow, The Edinburgh Rescue Centre and the St Ronans Mother and Baby Home in Dundee.⁴⁷

From the poor law records it is quite clear that the poorhouse featured in many of these women's lives. Many of the women appear in the records on several different occasions, and some continued to go in and out of the poorhouse frequently throughout their lives. Whereas some women only appeared in the poor law records once or twice during particularly difficult periods, others needed more regular assistance. However, as the poor law records have been used to compile the data, the evidence is to some extent skewed towards examining the lives of those women who experienced economic hardship. Nonetheless, their records show that poverty and reliance on the poor law continued to be a significant experience for many of the women involved in prostitution well into the twentieth century.

⁴⁵ ECA, EBCR, case of Isabella McGregor or Powell, 25 August 1919.

⁴⁶ ECA, EBCR, case of Isabella McGregor or Powell, letter written 17 December 1919.

⁴⁷ ECA, EBCR, 1900-1939.

Prison was another experience shared by many of the women involved in prostitution. As explained in chapter two, the majority of women who committed soliciting offences were awarded fines, with the most common sentence being a fine of forty shillings. However, if the women could not pay this fine, they were sent to prison in default of payment for a maximum of forty days (although many women managed to pay their fine before having served the whole forty days). Whilst those women who earned higher amounts could avoid prison, those with lower and less reliable incomes ended up in prison more frequently than those with higher incomes. However, even relatively well-off women could find themselves in prison on some occasions. Whilst the conditions within women's prison had improved since the nineteenth century they were still far from pleasant.⁴⁸

Relationships Between Prostitution and Other Forms of Crime

The Edinburgh Police Criminal Conviction Registers show that some women convicted of importuning had very long criminal histories. Many of the women had several pages worth of previous offences, with the number of previous convictions ranging from just a few minor offences to over 200. The majority, however, had an amount of offences somewhere in-between these two extremes. The most common types of offences were theft, obscene behaviour, breach of the peace, drunk and disorderly behaviour, or physical violence of varying types. For example, between 1902 and 1912 Madge Thomson, aged eighteen at the time of her first offence, was convicted of fifty-eight offences.⁴⁹ Whereas thirty-two of these were for importuning, the remaining twenty-six were for crimes such as theft, drunkenness and disorderly behaviour. Similarly, between 1900 and 1924 Agnes Duff, aged nineteen at the time of her first offence, was convicted on 118 occasions.⁵⁰ Thirty-five of these offences were prostitution-related, but the remaining eighty-three included offences such as drunk and incapable and indecent behaviour. Several women were also convicted for crimes of a more serious nature. For example, Janet

⁴⁸ See, for example, Norval Morris and David Rothman (eds), *The Oxford History of the Prison: The Practice of Punishment in Western Societies* (Oxford: Oxford University Press, 1995).

⁴⁹ ECA, Edinburgh Police Criminal Conviction Register (hereafter EPCCR) vol. 31, case of Madge Thompson.

⁵⁰ ECA, EPCCR, vol. 31, case of Agnes Duff.

Cranston was convicted of assaulting a woman and a boy, and Janet Mannock was convicted of assaulting a man and a girl.⁵¹

It is often difficult to gauge the relationship between prostitution and women's involvement in different types of offences. The majority of the women did not have prostitution recorded as their first crime, and instead it was usually a minor offence, such as disorderly behaviour or drunk and incapable behaviour with which they were first charged. This may suggest that it was only once women were already involved in petty crime and 'anti-social' behaviour that they became involved in prostitution. Walkowitz has argued that women often slowly became involved in prostitution only once they had already become involved in other types of crime and were thus gradually introduced to the environment and community surrounding prostitution.⁵² The cases of women who had a high number of convictions for offences other than prostitution would certainly support this argument. Moreover, the Duke Street Prison registers show that the average number of previous convictions for women convicted of importuning was 27.1 in 1903, 28.3 in 1911, 17.8 in 1921 and 24.6 in 1931.⁵³

Frances Finnegan has shown how theft was a common side occupation for women who robbed the men they solicited.⁵⁴ Easy access to men's valuables whilst they were more vulnerable and otherwise occupied, gave women an opportunity to supplement their earnings from prostitution. The high number of theft offences recorded in the Criminal Conviction Registers certainly suggests that this continued to be the case in the twentieth century. However, the data compiled from the Criminal Conviction Registers may be slightly misleading because the registers refer to women who had frequently been arrested and convicted for prostitution and various other crimes. Once women had come under the surveillance of the police, their likelihood of being 'caught' committing crimes would have increased, thus meaning that the number of crimes committed by women involved in prostitution might have become overrepresented in the registers. Similarly, the considerable number of violent crimes committed by women involved in prostitution may not

⁵¹ ECA, EPCCR, vol. 31, case of Janet Mannock; ECA, EPCCR, vol. 31, case of Janet Cranston.

⁵² Walkowitz, *Prostitution and Victorian Society*, p. 212.

⁵³ GCA, HH21/32: Duke Street Prison Registers.

⁵⁴ Finnegan, *Poverty and Prostitution*, p. 109.

necessarily have been any higher than the number committed by other working-class women during this period.⁵⁵

However, many women had no, or very few, previous convictions before they were convicted for prostitution. In these cases, the few previous convictions might simply reflect the fact that until the police were certain that a woman was a 'prostitute', they often charged her with other minor offences, such as breach of the peace, to ensure that they were not accused of falsely arresting women who were not 'prostitutes'. In these particular cases, it is possible to infer that it was the involvement of these women in prostitution that may have led them to commit further crimes. Nonetheless, whether or not prostitution led to involvement in other crimes or vice versa, it is clear from these records that many of the women who engaged in prostitution committed various other types of offences throughout their involvement in prostitution. Court appearances and prison sentences therefore played an important role in many of these women's lives. However, the Criminal Conviction Registers offer more details than simply individual criminal histories. Several of the entries span across the majority of the woman's adult life, and by examining these case files in more depth, it is possible to begin to piece together the role that prostitution played throughout their life cycles.

Jane Darroch was born in 1885 and was first convicted for disorderly behaviour in 1899, aged fourteen.⁵⁶ Between 1899 and her first prostitution offence in 1913, aged twenty-eight, Jane was convicted ninety-seven times for a variety of different offences. These offences included breach of the peace, assault, theft and indecent behaviour and often resulted in prison sentences. It is difficult to know whether her first prostitution offence accurately reflects the date of her movement into prostitution, or simply the first time she was caught. However, the substantial list of previous crimes would suggest that Jane was involved in other crimes from a young age and had gradually moved towards working in prostitution. In 1908, aged twenty-three, Jane was convicted for being drunk in charge of a child. There is no evidence to prove that it was her child, but it is possible to speculate that the birth of a child prior to 1908 (and the financial burden this encompassed) may have been an

⁵⁵ See, for example, Annmarie Hughes, 'Working Class Culture, Family and Domestic Violence on Clydeside, c. 1918-1939: A View from Below', *Scottish Tradition*, 27 (2002) pp. 60-90.

⁵⁶ ECA, EPCCR, vol. 30, case of Jane Darroch.

important factor that prompted Jane to turn to prostitution. Between 1913 and 1920 Jane was convicted for prostitution offences on sixteen different occasions, suggesting that between the ages of at least twenty-eight and thirty-five, Jane continued to be involved in prostitution. It is uncertain whether Jane was employed in other occupations during this period; however, the disruption that would have resulted from the frequent convictions and prison sentences for importuning, theft, and drunk and disorderly behaviour would have made it difficult to keep any steady form of 'respectable' employment. In 1922 she was charged with begging, and in 1932 her final conviction was for being drunk and incapable. Although it appears that Jane left prostitution in 1920, aged thirty-five, her subsequent convictions for begging and being incapable do not suggest that she left for more prosperous opportunities. On 16 December 1932 she died, aged forty-seven.⁵⁷

Mary Helen Mullaney also experienced a similar pattern of regular convictions and prison sentences throughout her life. Mary Helen was born in 1884, and in 1899, aged fifteen, she committed her first offence by assaulting a police officer.⁵⁸ Her first prostitution conviction occurred in 1909, aged twenty-five. However, before this she had committed several other offences, including drunk and disorderly behaviour and theft. In 1901 she was convicted for being drunk in charge of a child and for attempted suicide. In 1905 she was again convicted for attempted suicide. There were also several convictions for assault, one of which was for assaulting her husband. This tells us that she was already married by the age of twenty-one and that it was not a successful marriage. Although it can be misleading to infer too much from these conviction histories, her numerous drinking offences and attempted suicides clearly suggests that she was very unhappy during this period, and perhaps the difficulties of caring for a child in such circumstances may have contributed towards these problems. Between 1909 and 1919 she was convicted of thirteen prostitution offences and a wide range of other crimes, such as theft and assault. As in the case of Jane Darroch, it is unlikely that she could have kept any long-term employment during this period, and she appears to have relied on her

⁵⁷ Ibid.

⁵⁸ ECA, EPCCR, vol. 30, case of Mary Helen Mullaney.

earnings from prostitution and theft. Mary Helen died on 11 January 1920, aged thirty-six.⁵⁹

From these two cases it is possible to outline some key details of the lives of women involved in prostitution and to begin to see the emergence of common themes relating to their involvement in crime and prostitution. The types of offences they committed highlight the fact that alcohol, violence, poverty, and theft commonly featured in their lives and also reveal details about important facts, such as their marital status or whether they had children. Nonetheless, this tells us very little about their actual thoughts or feelings, and their own voices remain unheard. Although offences such as attempted suicide might suggest that women felt depressed, it is misleading to project our own understanding or expectation of these woman's emotions.

Whilst many of the cases in the Criminal Conviction Register show a similar cycle of poverty, illness, crime and deprivation, not all of the women employed in prostitution had such long criminal records. For example, Catherine Brady was born in 1878 and was first convicted for a prostitution offence in 1900, aged twenty-two.⁶⁰ During the next ten years, Catherine was convicted for five prostitution offences and for an additional fifteen offences, such as breach of the peace and disorderly behaviour. After the age of thirty-two, Catherine no longer appears in the conviction register, and it is likely that she left prostitution at this point. The short criminal records of women such as Catherine, and many others like her, suggest that these women only resorted to prostitution for a short time and left once other work or marriage opportunities arose. Alternatively, in some cases their sudden absence from the records may reflect their successful avoidance of police surveillance by moving to other cities or working in a more clandestine environment. It is also important to remember that the Criminal Conviction Registers only represent the experiences of those women who had been 'caught' and their convictions recorded. The Criminal Conviction Registers, therefore, tell us little about the women who successfully avoided detection by the police and consequently had different experiences to those women who were frequently arrested by the police. The experiences of these women

⁵⁹ Ibid.

⁶⁰ ECA, EPCCR, vol. 30, case of Catherine Brady.

is even harder for the historian to access because they had less contact with the institutions that might have documented their activities.

Probation: A New Door Opening or Another Door Revolving?

Chapter four has shown how the newly developing probation service was instrumental in placing some women convicted of prostitution on probation rather than in prison. In theory, the use of probation was meant to stop the type of cycle of reoffending that developed when women were frequently sent to gaol with other 'criminal' women, or given fines that were then paid for by selling more sex. On the one hand, it appears that the probation system did have a big impact on the experiences of some women. For example, in February 1921 Elizabeth Young was placed on probation for six months, rather than being sent to prison, and in 1927 sixteen-year-old Mabel Bennie was placed on probation for the second time.⁶¹ Although these women were subjected to a loss of freedom, they were not sent to prison, and it is likely that this affected their experience of prostitution. As hoped by the authorities, not spending time in a gaol may have limited the influence that other, more 'hardened criminals' had upon the young women. Additionally, not having a criminal record possibly made it easier for women to exit prostitution and find alternative employment because they were not stigmatized by having spent time in prison. In this respect, it appears that there might have been a generational difference that shaped women's experiences of prostitution. Whereas women who first became involved in prostitution during the interwar period were commonly placed on probation for a first offence rather than being sent to prison, women born in the late nineteenth century who first became involved in prostitution prior to the First World War did not have the option of probation.

However, the availability of probation did not necessarily mean that women avoided prison altogether. Those women who resisted the attempts of the probation system to control their behaviour by breaking their bonds and running away from their probation officer or reform home were often sent back to court and convicted for their original offence, and oftentimes many more offences subsequent to that. Roughly half of all the probation reports end with comments about the misbehaviour

⁶¹ ECA, EBCR, case of Elizabeth Young, 2 February 1921; ECA, EBCR, case of Mabel Bennie, 15 May 1921.

of the woman under probation and a note which confirms that she had broken the probation bond and was subsequently sent back to the magistrates for sentencing.

The case of Edith Boyd is a particularly good example of how some women continued to engage in a variety of different offences, regardless of attempts by various different institutions to reform them. Edith Boyd was born in 1883 and was first convicted in Glasgow for stealing a petticoat in 1898, aged fifteen.⁶² As punishment for this crime, she was sent to the Dalry Reformatory. However, she absconded from the reformatory on two occasions, and when she was sent to another reformatory in Aberdeen, she again absconded. Her exact date of birth is unknown, but by 1899 it appears that she had left the reformatory permanently, most likely because she had turned sixteen by this point. In May 1900 she was convicted for assaulting a man, followed by eight more convictions for offences such as breach of the peace and theft. In September 1901, aged eighteen, Edith was convicted for a prostitution offence for the first time and sent to prison for seven days. However, by this point prison would have become a familiar experience for Edith, as her previous convictions carried sentences of up to thirty days. In April 1903 she was convicted for brothel-keeping and sentenced to sixty days in prison. During 1904 she was convicted for importuning on three occasions, and another three times in 1905. In 1906 she was not convicted for importuning, but continued to be sentenced for other crimes such as theft and disorderly conduct. From 1907 to 1915 she was continually convicted for importuning and other offences until her final prostitution offence on 7 December 1912. Several days later, on 19 December 1912 she was again arrested, but this time for being drunk in charge of a child. Over the next few years she was convicted for being drunk and incapable and for the theft of a fountain pen. Her last conviction was in December 1919 for the theft of money and the assault of a woman. At that point Edith disappeared from the records, aged thirty-six. It is difficult to know what happened to her after this, but it is possible to speculate that her circumstances may have changed once the First World War had ended.

From a very young age, Edith was sent to reformatories and prisons, and this type of constant 'institutionalisation' was likely to have had a large impact on her life. For women like Edith, whose time spent in these types of institutions constituted

⁶² ECA, EPCCR, vol. 29, case of Edith Boyd.

significant periods throughout her life course, the institutions clearly failed to provide the correctional influence that they were designed to deliver.

'Bullies' and 'Brothel-Keepers'

The Criminal Conviction Registers also include information about the men who lived off the earnings of prostitution, often known as 'pimps' or 'bullies'. The nature of the sources makes it difficult to generalise about the lives of all 'bullies', and the fact that these men were arrested means that the sample is biased towards those men who were 'caught' and successfully convicted. Nevertheless, considering it is very rare to find information about the men involved in female prostitution, the following examples give us a valuable insight into the lives of the different men who lived off the earnings of prostitution.

Thomas Gallacher was born in 1885, and by 1899 aged fourteen, he was convicted of his first offence for malicious mischief.⁶³ In May 1909, he was convicted under the Immoral Traffic Act for living off the immoral earnings of prostitution. Between 1889 and 1934 he was convicted of sixty-eight offences, and the wide variety of different crimes he was said to have committed tells us more about his criminal and personal history. For example, on 10 May 1915 he was convicted for deserting the Army, and in 1920 he was convicted for assaulting his wife. This not only tells us that he was married and deserted the Army, but also suggests that he was a violent man. The twenty-three convictions for the assault of men, women and police officers confirm this. On three separate occasions in 1916, 1918 and 1919, it was noted that he had assaulted his 'paramour', clarifying that he used violence to intimidate women. His numerous crimes for theft and armed robbery suggest that he was also involved in a range of crimes aside from living off the earnings of prostitution. Additionally, his assault on a police officer and several convictions for disorderly behaviour and malicious mischief suggest that he held little fear or respect for the law in general. From the information known about Gallacher's violent and 'criminal' behaviour, it would appear that he certainly fit the stereotype of the 'vicious' pimp.⁶⁴

⁶³ ECA, EPCCR, vol. 30, case of Thomas Gallacher.

⁶⁴ See for example, E. Bristow, *Prostitution and Prejudice, the Jewish Fight against White Slavery, 1870-1939* (Oxford: Clarendon, 1982).

The case file for Henry Fair suggests that he too led a 'disreputable' life.⁶⁵ Born in 1880, Fair was described as a 'labourer', and was first convicted in 1898, aged eighteen, for desertion from the Army and assaulting his wife. In March 1902 he was first convicted under the Immoral Traffic Act, and then again in January 1911 and November 1911. Between the time of his first conviction in 1898 and his last in 1914, he was convicted on thirty-six different occasions. The crimes he committed included stabbing his wife and several other assaults on women, assaulting a police officer, fraud, theft and embezzlement. Like Gallacher, Fair was clearly a very violent man who was involved in a wide range of criminal activities.

However, not all of the men convicted of Immoral Traffic offences were as violent or 'criminal' as Fair and Gallacher. For example, Robert Ross, born in 1885, was described in the Criminal Conviction Register as a 'waiter' and was first convicted for breach of the peace in 1900, aged fifteen.⁶⁶ In November 1908 he was convicted under the Immoral Traffic Act for living off the earnings of prostitution. Although Ross began to commit offences at an early age and continued to commit other minor offences, such as trespassing and theft of a bicycle, eggs and some ink, he had far fewer convictions than either Fair or Gallacher and no convictions for more serious or violent crimes. Though this does not prove that he did not abuse or exploit the women whose immoral earnings he lived off (as violence against these women may have gone undetected by the police), he at least appears to have been much less violent than Fair and Gallacher.

Victoria Harris has argued that in Germany not all 'pimp-prostitute' relationships were based solely on abuse and exploitation.⁶⁷ Many women chose to live with men and to support them from their earnings for a variety of reasons. On the one hand, the presence of a man who could watch out for the police or provide protection from violent clients could have been beneficial. On the other hand, it appears that many relationships were based on more than business alone, and women were often involved romantically with the men. The Immoral Traffic Act meant that any man who lived with a prostitute and could not prove that he was financially independent was liable to be convicted. Therefore, even those men who were married

⁶⁵ ECA, EPCCR, vol. 29, case of Henry Fair.

⁶⁶ ECA, EPCCR, vol. 30, case of Robert Ross.

⁶⁷ Victoria Harris, *Selling Sex in the Reich* (Oxford: Oxford University Press, 2010), p. 78.

to prostitutes, but did not necessarily force them to sell sex, could be arrested under the Act. For example, in 1902 twenty-eight-year-old Lewis Brash was sentenced to three months' imprisonment for living off the immoral earnings of his wife, twenty-five-year-old Ann Forbes or Brash, a 'known prostitute'.⁶⁸ During the trial, police constable Cattnach described how 'he had known the accused and his wife for the past eighteen months. The latter was a convicted prostitute and the accused lived with her at a house in Earl Grey Street which was conducted as a brothel.'⁶⁹ The Criminal Conviction Register confirms that Ann had been involved in prostitution since 1899.⁷⁰ However, during her witness testimony Ann explained that 'she never gave her husband any money, because he did not require it. He worked himself and supplied her with money. He also went the messages.'⁷¹ Brash explained that he was a commercial traveller who sold watches and also won money through gambling; however, when the magistrates pressed the matter further, it became apparent that he only had one watch to sell and little else. Brash was found guilty, but whether he actually forced his wife onto the streets to support him remains unclear. Ann's testimony in support of her husband suggests that she did not want him to go to prison, although it is possible that Ann made this statement because she feared the consequences of testifying against him. However, unlike other cases in which the violent behaviour of the men was frequently stated, there is little evidence to support the possibility that Ann was intimidated into making her statement. It appears, therefore, that Ann genuinely tried to prevent her husband from being convicted, most likely for the same reasons that any woman would not have wanted her spouse imprisoned.

Another case which involved a married couple was that of Otto Hall and Nellie Echard or Hall. In March 1913 Hall, a sixty-year-old German 'general dealer and broker', was found guilty of living off the immoral earnings of his wife, Nellie Echard or Hall, a 'known prostitute'.⁷² He was sentenced to six months' imprisonment and was to be deported to Berlin on completion of his sentence (which was later shortened to three months). Hall's appeal against his conviction was

⁶⁸ *Scotsman*, 5 September 1902. p7.

⁶⁹ *Ibid.*

⁷⁰ ECA, EPCCR, vol. 31, case of Ann Forbes.

⁷¹ *Ibid.* ['messages' is slang in Edinburgh and Glasgow for shopping].

⁷² NRS, JC31/1913/24, case of Otto Hall.

unsuccessful; however, his witness statement provides some interesting details about the couple's relationship. Firstly, Hall argued that he did not need the earnings of his wife because his general dealer and broker business at 45 Thistle Street provided 'considerable income'.⁷³ Secondly, he contested his wife's evidence against him, stating that she had 'become antagonistic to him since she persuaded him recently to convey his whole fortune and effects *inter vivo* to her and also make his will in her favour absolutely.'⁷⁴ Hall also provided official legal documents and bank books to prove this statement.

To be sure, it is possible that Hall was lying to help his appeal case, and the court documents alone tell us little about the complexities of the couple's relationship. Nevertheless, the proof provided in the will and other documents do suggest that in this particular situation it may have been Hall who was the 'victim' rather than Nellie. Little is known about Nellie; however, the convenient imprisonment and then deportation of her relatively elderly husband shortly after he had signed over his property to her certainly sounds suspicious. The judge did not think that this was sufficient ground for Hall's release and sent him back to prison to serve the remainder of his sentence. The fact that he was a German man in 1913 (one year prior to war with Germany) may have had some influence on the judge's decision. These cases, therefore, clearly demonstrate that it is not possible to classify these 'pimp' and 'prostitute' relationships according to black and white notions of 'victim' and 'abuser'. The following two case studies will shed further light on the lives of the men and women involved in prostitution and on the complexity of their relationships with each other.

Case Study One: Mary and John Kelly

On 23 July 1919, John Kelly was tried under the Immoral Traffic (Scotland) Act 1912 for living off the immoral earnings of his wife Mary Kelly.⁷⁵ During the trial, witness testimonies were given by several police officers, but also by nineteen-year-old Mary Kelly and her fifty-two-year-old widowed neighbour, Jane Millar or

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ ECA, EBCR, case of John Kelly, 23 July 1919.

Cunningham. The statements made by these two women describe their experiences in great detail and are worth quoting in full:

Mary Kelly

I married accused on 22 June 1918 in Edinburgh. He was then a private in the Royal Field Artillery and stationed at Redford barracks. I was a member of the Women's Army Auxiliary Corps and had only knew [sic] him for three weeks and only married him for the purpose of being discharged from the corps mentioned. I then left Edinburgh and returned about four months ago when accused was discharged, and we resided together in a furnished room at 4 Old Broughton. About 5 weeks ago we removed to a house of our own at 4 Simpson's Court Potterrow. Accused was discharged from the army about 5 months ago, since when he has never done any work, but has been in receipt of unemployment benefit to the extent of 29/- per week. About a month ago he forced me to go on the streets and act as a prostitute and I so conducted myself and handed over to him money which I had earned in that way. I usually frequented Princes Street and Tollcross district and accused followed me on the streets while I was accosting, the arrangement being that on my picking up a man he left and would meet me at some pre-arranged spot later in the night or in the early morning. He was of drunken habits and frequently assaulted me and sneered at me for being of little use as a prostitute.⁷⁶

Jane Millar

About 6 weeks ago the accused and his wife came to reside next door to me. During that time I am aware that he has never done any work but draws out work benefit. He is addicted to drink and I have frequently heard him assaulting her. About a week ago I heard thuds as if he was striking her and she was screaming and on going to the door of their house in order to assist her I found it locked. A little later she showed me marks all over her body which she said had been caused by accused because she would not go to the streets as often as he wished to act as a prostitute and bring in money... The accused would never allow his wife to go out of the house by herself and they both usually left the house together as darkness was coming down and returned together at various times after mid-night... I have repeatedly advised her to go away and leave him.⁷⁷

From the Edinburgh Burgh Court records it also possible to learn more about John Kelly. In 1893 he was convicted for assault by stabbing, and in 1899 for assaulting a woman. During 1914 and 1917 he was again convicted of assault, this time of a woman and a policeman. The witness statements demonstrate how he violently

⁷⁶ Ibid.

⁷⁷ Ibid

attacked Mary on several occasions and would not let her leave the house without him. He not only physically abused her, but also verbally insulted and 'sneered' at her. Like Fair and Gallacher, Kelly was clearly a violent man, and the use of violence was an important tactic in coercing women into handing over the earnings they made from prostitution. Even though her neighbour repeatedly encouraged Mary to leave, she still felt that she could not escape.

Interestingly, John Kelly was brought before the Edinburgh Police Court for a similar offence in March 1912, and the records describe how he evaded conviction 'on account of the prostitute with whom he was then living going back on her statement'.⁷⁸ The difficulty of assuring that women would testify against their 'bully' was something of which the police and magistrates were well aware. In many situations, fear of reprisal stopped women from coming forward to testify against their abusive 'bully'. Alternatively, as described earlier, some women held strong personal affections and commitments to their bullies and were reluctant for them to be prosecuted. Nonetheless, this and the following case study demonstrate how some women were capable of using the law to their own advantage by testifying in court against their abusive 'bullies' and helping to secure their convictions.

Case Study Two: May McArthur and James Clinton

In May 1919 the Edinburgh Police received the following anonymous letter:

Dear Sirs,

I write this note to let you know that there is a fellow in the Canongate if you caught him you would be catching a right scoundrel. He is un [sic] old timer at Rayants the prison, he takes the name of Clinton, I think his first name is James, he is living with a girl the name off McArthur ... and she has a boy with him. Believe this letter to be genuine, you will catch him if you go down to New Street no. 38 the top flat and ask for Macarthur, that is the girl's name.

From a Canongate person who knows them both.⁷⁹

Subsequently, on 16 May 1919, James Clinton was convicted for living off the immoral earnings of May McArthur.⁸⁰ During the trial the police informed the court

⁷⁸ Ibid.

⁷⁹ ECA. EBCR, case of James Clinton, 16 May 1919.

of the observations they had made whilst the couple were placed under surveillance.

They described how Clinton had:

been living with the prostitute May Macarthur at 38 New St, and during that time I have not known him to do any work. I have frequently seen him loitering about the street during the day and in the company of the prostitute Macarthur. This prostitute has on two occasions, 5 May and 6 May, complained to me regarding accused forcing her to go onto the streets and earn money by prostitution in order to keep him as he would not go out to look for work. I have no doubt by what I have been told by the prostitute, and seen of accused myself, that he is living entirely on the earnings of her prostitution.⁸¹

May MccArthur's testimony confirmed the police evidence and supported the charge that Clinton had been living off her immoral earnings:

I am a prostitute although I have never been convicted, and for several months past accused has been living with me at 38 New Street. Since he has lived with me he has never done any work and during the period charged he forced me out on the streets to earn money by prostitution in order to keep him. I have frequently complained to the police, both uniformed men and plain clothed men, regarding accused forcing me to go on to the streets and I have called the police up to the house in New Street where we reside. Accused does not get any pension or out of work donation and has been living entirely on the earnings of my prostitution.⁸²

Further statements described how on one occasion Clinton 'violently held her by the throat and compress[ed] her throat and with his fist did strike her one or more blows on the left eye whereby the said witness was hurt and her left eye discoloured.'⁸³

On the surface it appears that the cases of both May McArthur and Mary Kelly exemplify the typical exploitative and abusive relationship that was often assumed to exist between 'prostitutes' and 'pimps'. On the one hand, both May and Mary were clearly the victims of violence and exploitation at the hands of men who forced them into prostitution and lived off their earnings. On the other hand, both women stood up and testified against these men to secure their convictions under the Immoral Traffic Act. For example, May MacArthur's evidence was enough to secure

⁸⁰ Ibid.

⁸¹ Ibid.

⁸² Ibid.

⁸³ Ibid.

a conviction, and James Clinton was given a fine of £5, or in default of payment, a prison sentence of thirty days. Both cases suggest that some women were fully capable of using their knowledge of the Immoral Traffic Laws to their advantage. Their ability to threaten the 'bullies' that they would inform the police about their illegal activities would have given the women some power.

Both Kelly's and McArthur's statements suggest that they had considerable knowledge of what details were needed in their statements to provide the necessary evidence to secure a conviction. For example, May McArthur was sure to include that James Clinton had 'no other earnings' and that he 'forced' her to prostitute herself so he could live off her immoral earnings – evidence that was necessary for a conviction under the Immoral traffic Act. It is difficult to know to what extent her lawyer may have informed her of the types of details that she should include. Nonetheless, these statements certainly show that the women were capable of resisting the control exerted over them by 'bullies' and used the law to help them in this endeavour. Considering the violent behaviour of their 'bullies', this must have taken considerable courage and demonstrates that although these women suffered violent abuse, they were certainly not 'passive victims.' In the case of Nellie Hall it is even possible that she used the Immoral Traffic Act to rid herself of a husband for whom she no longer had any use once she had taken legal ownership of his possessions.

On 29 November 1919, May McArthur was charged with keeping and managing her house at 38b New Street as a brothel and harbouring the prostitute Cecelia Wood or Sneddon for the purposes of prostitution.⁸⁴ McArthur's convictions for brothel-keeping and importuning highlights the inadequacy of using the labels of 'victim' or 'villain' to describe individuals involved in prostitution. For example, whilst on one occasion, McArthur was described by the law as a brothel-keeper, on another occasion she was the victim of an immoral trafficker. Whereas the former was primarily seen as the exploiter of women, the latter was seen as the exploited. However, McArthur's case demonstrates that it was often not possible to draw a neat dividing line between the two. The court testimony given during the trial illuminates this point further. May McArthur was described by the police as 'a prostitute', and

⁸⁴ ECA, EBCR, case of May McArthur, 29 November 1919.

both May McArthur and Cecelia Sneddon were reported to work together soliciting men on the streets.⁸⁵ Rather than McArthur asserting control in the situation (as one might expect the brothel-keeper to do), it appears to be Sneddon who manipulated McArthur. After the police caught Sneddon stealing £1 from a customer, Sneddon informed the police about McArthur's 'brothel'.⁸⁶ It is unclear exactly why she divulged this information; it may have been a mistake, or perhaps it was part of a bargain struck with the police to lessen her sentence. Alternatively, it may have been part of a calculated and vindictive plan to punish McArthur. In the court case, McArthur tried to plead her innocence by insisting that she had attempted to make Sneddon leave. This may have been a ploy to gain sympathy and lessen her sentence, or it may have genuinely reflected the situation. On several occasions McArthur was described as very drunk and incapable, and it is possible that Sneddon was taking advantage of McArthur's flat, whilst McArthur was drunk and unable to force her to leave. Considering that the technicalities of the brothel legislation made it illegal for McArthur to allow another 'prostitute' to live and work in her flat, it is highly probable that McArthur would have wanted Sneddon to leave. If McArthur had threatened Sneddon with eviction, this may account for why Sneddon informed on McArthur in an attempt to gain revenge. Admittedly, the exact details of their relationship are hard to gauge. Nevertheless, this one case study alone highlights the complexities of agency and victimhood and how different people's roles changed according to the circumstances.

The fact that McArthur continued to engage in prostitution after the arrest of Clinton also highlights several other important issues. Firstly, the policy of arresting 'bullies' did not necessarily mean that women could then 'escape prostitution.' In the case of McArthur, it is not clear why she continued in prostitution; however, there are some likely reasons why it might have been difficult for women to leave prostitution. It is probable that the same socio-economic factors which led women to enter into prostitution in the first place did not change simply as a result of the arrest of their 'bullies'. As described earlier in the chapter, the low and irregular wages that women could expect to earn in most traditional working-class occupations would have meant that the higher wages of prostitution were equally attractive after the

⁸⁵ Ibid.

⁸⁶ Ibid.

arrest of their 'bullies' as they had been before it. Even when women had been forced into prostitution, once they had become accustomed to this way of life, they may not have wanted to leave prostitution and the higher wages it provided. Alternatively, many may have found it difficult to find other types of work, especially if they were recognised as 'a known prostitute'.

Secondly, McArthur's 'new identity' as a 'brothel-keeper' disrupts the assumed dichotomy between 'brothel-keeper' and 'prostitute'. Whereas McArthur was labelled as the 'victim' during the immoral traffic trial, as a brothel-keeper she was now seen as the one profiting from the exploitation of other women. However, as described in chapter two, brothels were often little more than rooms where women took the men they had solicited, and they were frequently run by other poor working-class women and their families. Although some brothel-keepers certainly did exploit women, this was not altogether different from other forms of rent exploitation that occurred during the period. The majority of 'brothel-keepers' in these situations did not force the women to stay or treat them harshly, but simply took advantage of the higher rents that they could charge women who earned higher wages than the majority of other working-class women.

For some of these 'brothel-keepers', renting rooms to prostitutes may have been one of the only ways for them to support their young families. However, the 1880 Industrial Schools Amendment Act and the 1908 Children Act meant that women in these situations were often harshly punished if the authorities discovered that they were allowing prostitutes to frequent their premises. Under the 1908 Act, children who were found to be residing in a 'brothel' or in 'immoral surroundings' could be forcibly removed and sent to an industrial school.⁸⁷ The Burgh Court records provide several examples of this happening to women in Edinburgh. On 15 May 1925 Jane Meikle was charged with conducting her house at 40 Jamaica Street as a brothel and harbouring a prostitute named Helen Thomson.⁸⁸ There are few details of the exact circumstances within the 'brothel', but it appears that there was only one woman working there. It is likely, therefore, that Jane Meikle was simply letting a room to this woman in order to help pay for the rent since her husband had

⁸⁷ Linda Mahood, *Policing Gender, Class and Family: Britain, 1850-1940* (London: UCL Press, 1995).

⁸⁸ ECA, EBCR, case of Jane Meikle, 27 May 1925.

been killed during the First World War. However, because of her brothel conviction, George Shirran, the Chief Inspector of the Scottish Society for the Prevention of Cruelty to Children, petitioned the court to have the children removed from the home because they were 'living in circumstances calculated to cause, encourage or favour the seduction or prostitution of the said children.'⁸⁹ The petition was successful, and Jane's two children, eight-year-old Elizabeth Dodds and seven-year-old Jeannie Dodds, were forcibly removed from her care and placed under the custody of the Minister of Pensions until the age of sixteen. Similarly, in September 1915 Margaret Fiddes' three children were sent to an industrial school after she was imprisoned for sixty days for using her flat at 3 Northcote Street for the purposes of prostitution.⁹⁰ In these and several other cases there was little evidence to suggest that the children were in any actual danger, and the removal of the children appears to have been partially aimed at punishing the 'immoral' mothers. In these situations it is possible to view the 'brothel-keepers' as the victims of overzealous reformers who separated families unnecessarily.

However, there were some cases where the children's welfare was more obviously at risk. For example, during 1916 and 1917 the probation report for Alexandria Stewart or Campbell described how she solicited on the street with her eleven-year-old son and left the rest of her four children at home, 'with no one to look after them'.⁹¹ The report also stated that Alexandria was frequently drunk, and on inspection of her home the probation officer found it to be 'dirty', her 'children poorly clad and dirty', left alone in the house with only 'a small piece of bread' to eat.⁹² Alexandria evidently had an alcohol addiction problem and was finding it difficult to care adequately for her four children alone. In this instance, it seems that there was more evidence to support the decision that an intervention should be made for the sake of the children's welfare. However, whether it was necessary for the children to be forcibly taken from their mother and placed into an industrial school is questionable. Nonetheless, in the majority of cases there was little evidence to suggest that the children were being neglected or maltreated, and it appears that the

⁸⁹ Ibid.

⁹⁰ ECA, EBCR, case of Margaret Fiddes, 30 September 1915.

⁹¹ ECA, EBCR, case of Alexandria Stewart, 5 January 1918.

⁹² Ibid.

'immorality' of their mother was seen as the main reason why they should be removed from her care.

Thirdly, McArthur's case highlights the ambiguous nature of the labels 'prostitute' and 'brothel-keeper'. Many 'brothel-keepers' were not 'evil' exploiters of women, but simply 'prostitutes' who had fallen foul of the brothel legislation because they allowed another woman to work in their flat. This is supported by the considerable number of women in the Criminal Convictions Registers who were convicted for both prostitution and brothel-keeping offences. For example, Margaret Reid had thirty-three prostitution convictions and one for brothel-keeping⁹³, Rachel Jollins had nineteen convictions for prostitution and one for brothel-keeping,⁹⁴ and Martha Paterson had six prostitution convictions and one for brothel-keeping.⁹⁵ Similarly, Ann Gordon, Rose Ann Jimmings and Mary Shaw all had convictions for both brothel-keeping and prostitution.⁹⁶

Finally, these case studies also demonstrate how members of the local community could be sympathetic and understanding towards the plight of women involved in prostitution. In the case of Mary Kelly, her neighbour Jane Miller offered caring support and advice, and was also willing to stand as a witness in court against Kelly's husband.⁹⁷ Similarly, the letter written by a concerned local resident again demonstrates the general hostility felt towards 'bullies' and the sympathy felt towards the 'victims' of these men.⁹⁸ In both situations the neighbours were willing to defend the women involved in prostitution and recognised that these women needed their help rather than condemnation. Nonetheless, these cases draw on the traditional notion of women as victims of 'evil bullies', and there is little evidence to indicate whether these neighbours would have been as sympathetic towards women who did not fit the victim stereotype.

In a few rare cases the Burgh Court records also provide information about the woman's family and an insight into the ways that they responded to the knowledge that their daughter was involved in prostitution. Although surviving

⁹³ ECA, EPCCR, vol. 31, case of Margaret Reid.

⁹⁴ ECA, EPCCR, vol. 29, case of Rachel Jollins.

⁹⁵ ECA, EPCCR, vol. 31, case of Martha Paterson.

⁹⁶ ECA, EPCCR, vol. 30, case of Catherine McBeth; vol. 31 case of Ann Gordon ; vol. 7, case of Rose Ann Jimmings; vol. 7, case of Mary Shaw.

⁹⁷ ECA, EBCR, case of John Kelly, 23 July 1919.

⁹⁸ ECA, EBCR, case of James Clinton, 16 May 1919.

correspondence between the parents, probation officers and magistrates are rare, the few documents that have survived suggest that the families often felt ashamed of their daughters. For example, in 1920 John Livingstone, the father of Elizabeth Livingstone or Emerson, wrote to the police to inform them that he could not take his daughter home, as requested.⁹⁹ He explained how the family had taken Elizabeth back 'a lot of times already and she made us sorry for it every time. There are four sisters here, all decent and hardworking lasses and it is more than likely they would leave the house if she came back... It might sound hard, but it is the only way.'¹⁰⁰ He also explained how his daughter had been married to a 'good husband' in New Zealand but had left him. John was evidently disappointed in Elizabeth's behaviour, and although the family was at first willing to forgive and help her if she changed her ways, her refusal to do so prevented him from allowing her to come home in case she disrupted the rest of his 'decent and hardworking' family. He appears to have seen prostitution as an indecent and lazy occupation, something to which a woman who had 'a good husband' did not need to resort.

Similarly, the parents of Margaret Ross described how 'they had given their daughter every chance and that unless she promised to mend her ways they will have no more to do with her'.¹⁰¹ The Burgh Court Records described her parents as 'very respectable people' from Dundee, and it is clear that they could not reconcile their respectability with their daughter's behaviour. In these two cases, both parents refused to forgive their daughters unless they reformed. However, in the case of nineteen-year-old Elizabeth Moffat, her mother and sister both actively sought for 'Lizzie to go in a home'.¹⁰² For example, Elizabeth's sister, Mrs Shepard, wrote to the probation officer to inform her that:

Lizzie is misbehaving herself in a fearful way and making awful language to me and people of [sic] the street and I can't keep her in and I am not able to care for her... I told her dear Miss Hill that I would let you know about this carry on. She told me straight that she did not care neither for me, nor you, nor her mother... she will get me into trouble if

⁹⁹ ECA, EBCR, case of Elizabeth Livingstone or Emerson, 13 March 1920.

¹⁰⁰ *Ibid.*

¹⁰¹ ECA, EBCR, case of Elizabeth Livingstone or Emerson; ECA, EBCR, case of Margaret Ross, 8 March 1920.

¹⁰² ECA, EBCR, case of Elizabeth Moffat, 12 June 1916.

she stays any longer here, a home is the place for her where there is [sic]
no men.¹⁰³

The letter suggests that Elizabeth tried hard to resist the reforming influence of her family and probation officer by continuing to see men and behaving in a 'fearful' and 'awful' manner. However, the family could not accept this type of disruptive behaviour, and like the Livingston family, were concerned about her corrupting influence. In both families, therefore, prostitution was seen as a potentially dangerous pollutant that threatened the reputation of their otherwise respectable families.

In this respect, it appears that prostitution was not seen as an acceptable occupation by respectable working-class families. Nonetheless, in each case it appears that the families tried on many occasions to give their daughters a second chance. It was their daughter's refusal to renounce their involvement in prostitution and abide by their families' codes of respectability that caused the parents to forsake their daughters. However, the fact that they were repeatedly willing to offer second chances shows that prostitution was not an unforgivable sin that resulted in indefinite exclusion from the family, and if their daughter had repented they would have been welcomed back into the family.

Resistance and Agency

Chapters three and four focused on the ways in which the police and voluntary organisations attempted to control the behaviour and activities of women involved in prostitution. Studies of prostitution which focus on women as victims have been criticized by some historians for failing to demonstrate the historical agency of the women involved in prostitution.¹⁰⁴ Although the nature of the sources, such as police, court and institutional records, means that it is often difficult to hear the unmediated voices of the women, these records can offer us a glimpse into the way in which women attempted to resist authority.

One of the most basic ways that women exercised agency was through resisting arrest. For example, Sarah Gillholly or Burns, who was arrested for importuning on the Cowgate in Edinburgh on 25 June 1919, assaulted Constables

¹⁰³ Ibid.

¹⁰⁴ See, for example, Harris, *Selling Sex in the Reich*, p. 16.

George Lumsden and William Stevens by 'kick[ing] them repeatedly on the legs, and strik[ing] the said George Lunsdan with [her] fist on the left eye'.¹⁰⁵ On 26 May 1925 Iris McLaren was charged with 'wilfully and maliciously, with one of her shoes, break 4 small panes of obscure glass in the window of no. 23 cell, central police chambers'.¹⁰⁶ The report then goes on to state that when she admitted this crime, she shouted that 'the cell was not fit for a pig'.¹⁰⁷ McLaren was clearly not afraid to use violence or to voice her opinions forcefully. Similarly, in May 1917 twenty-two-year-old Margaret Daly was equally determined to speak her mind and refused to stop 'bawling, cursing and swearing', once she had been arrested.¹⁰⁸ In March 1917 Mary Watt was also described as 'very abusive' and was keen to point out that 'as the house was her own [the police] had no right to interfere with her ... I will bring into my house who I like'.¹⁰⁹ These assertive women were certainly not afraid to declare their rights and opinions.

The women also used other methods to resist arrest. For example, on 27 October 1915 mother and daughter Madge Paterson and Eliza Paterson were convicted for trying to bribe the constables who were attempting to arrest them for importuning.¹¹⁰ Although these two particular women's bribe was unsuccessful, it is unlikely that they were the only ones who attempted this method of escaping arrest. As described in chapter two, there were several cases of suspected bribery that came to light during the period, and undoubtedly many more remained hidden. Similar to the cases of May McArthur and Mary Kelly described earlier, many other women also tried to use their knowledge of the law to their advantage. For example, many women admitted 'being a prostitute' (which was not an offence), but denied importuning on the specific date that they had been charged. These women were clearly aware of their rights and wanted to gain justice. For example, in October 1916 Isabella Shepard Armour 'admitted being a prostitute but denied importuning on date charged'.¹¹¹ In another case, Sophia Holmes made an official complaint that

¹⁰⁵ ECA, EBCR, case of Sarah Gillholly or Burns, 25 June 1919.

¹⁰⁶ ECA, EBCR, case of Iris McLaren, 26 May 1925.

¹⁰⁷ *Ibid.*

¹⁰⁸ ECA, EBCR, case of Margaret Daly, 11 May 1917.

¹⁰⁹ ECA, EBCR, case of Mary Watt, 8 March 1917.

¹¹⁰ ECA, EBCR, case of Madge Stevenson or Paterson and Eliza Thomson or Paterson, 27 October 1915.

¹¹¹ ECA, EBCR, case of Isabella Shepard Armour, 30 October 1916.

she had been 'kicked by the officer arresting her.'¹¹² Although in this instance Armour and Holmes were not successful in their objections, these and other similar cases show that the women were well aware of the law and were capable of defending themselves in court.

The women also resisted attempts by the probation service and other institutions, such as the Magdalene Asylums, to reform them. In the probation cases of Margaret Daly and Iris McLaren, both women had previously been admitted to the Magdalene Asylum. There is little evidence about Daly's stay, but the report for McLaren described how, after being placed on probation for twelve months, the duration of which she was required to spend in the Magdalene Asylum, she absconded from the Asylum and therefore broke her bond, which resulted in a sixty-day prison sentence. Many of the women who went to the Magdalene Asylums, either through choice or as part of the requirement of their probation bond, subsequently ran away. For example, in March 1922, after being convicted for importuning on Princess Street, Mary Quinn was sentenced to twelve months' probation and sent to the Convent of the Good Shepherd in Colinton under the care of the Mother Superior.¹¹³ However, Quinn absconded from the convent, and the Mother Superior wrote a letter to explain how 'the girl has been most troublesome during her stay here'.¹¹⁴ Consequently, Quinn was sentenced to sixty days' imprisonment for breaking her probation bond.

These cases represent only a small fraction of the large number of cases where women refused to accept the rules enforced on them by reform institutions and chose to run away and to risk imprisonment rather than to adapt to their method of reform. Ultimately, many of the women who resisted in this manner were subsequently sent to prison for breaking their probation bonds. However, as argued by Michel De Certeau, although their resistance was fleeting, the women used these 'tactics' to find critical moments when they could demonstrate their individual agency.¹¹⁵

¹¹² ECA, EBCR, case of Sophia Holmes, 3 November 1919.

¹¹³ ECA, EBCR, case of Mary Quinn, 8 March 1922.

¹¹⁴ Ibid.

¹¹⁵ For an explanation of Certeau's theory about 'tactics' see, for example, Louise Jackson, *Women Police: Gender, Welfare and Surveillance in the Twentieth Century* (Manchester: Manchester University Press, 2006), p. 82; P. Hubbard and T. Sanders, 'Making Space for Sex Work: Female

Conclusion

This chapter has offered a rare glimpse into the experiences of the people involved in prostitution and the complexities of their lives and relationships. By using case studies and extracts from a wide range of sources, it has been possible to piece together some of the backgrounds of the women and to explore why they became involved in prostitution and what role it played in their life cycles. Although each woman's story was unique, by exploring some of their individual experiences this chapter has highlighted some important general themes. The women were mainly from working-class backgrounds, and many experienced considerable hardship throughout their lives. In particular, ill health, poverty, desertion, prison and harassment by the police were experiences shared by many of the women involved in prostitution. Whilst rising wages, increasing female employment opportunities and the establishment of some welfare benefits certainly helped some women during the early twentieth century, many did not benefit from these developments. Therefore, similar to the nineteenth century, it appears that poverty, inequality and lack of opportunities continued to be some of the main underlying reasons why women became involved in prostitution.

Another important theme that can be seen throughout the lives of women involved in prostitution is the frequent movement between different institutions, such as reform homes, poorhouses, prisons and hospitals. The Criminal Conviction Registers have shown that many women became involved in a wide range of crimes and were often sent to gaol, a factor that made it hard to find other forms of 'respectable' work. Moreover, the poor law records also show how women frequently moved address and did not settle in one place for long periods. However, the chapter has also shown that women's involvement in prostitution was often only temporary and that their earnings from selling sex were used to supplement their earnings from other occupations when employment was scarce. Consequently, women often only engaged in prostitution for relatively short periods during their lives, and left once they married or found alternative steady employment. This

Street Prostitution and the Production of Urban Space', *International Journal of Urban and Regional Research*, 27 (March 2003) pp. 75-89, p. 83.

flexibility and fluidity suggests that women were not necessarily burdened with the stigma of having been involved in prostitution once they were no longer known to be selling sex. The willingness of neighbours to sympathise with the plight of women involved in prostitution also suggests that the women were not necessarily outcasts from society. Although 'respectable' working-class families may have been ashamed of their daughters' involvement in prostitution, they were often willing to forgive them if they reformed their immoral behaviour. Moreover, the women's descriptions of themselves as cleaners, domestic servants or laundresses supports the notion that women could easily identify with other working-class women and were not necessarily isolated from the rest of the working-class community.

Finally, this chapter has raised questions surrounding the inadequacies of labelling all the women who engaged in prostitution as 'victims'. The women involved in prostitution frequently attempted to resist the authorities and voluntary organisations that wanted to police, control or reform them, and although they were not always successful, the sources certainly demonstrate their historical agency. Far from being 'passive victims', these women arguably challenged middle-class notions of respectable femininity and sexuality most blatantly by refusing to conform to their concept of morality. Moreover, the chapter has questioned our understanding of 'bullies' and 'brothel-keepers' and their relationship with 'prostitutes'. The case studies have demonstrated the awful ways in which some 'bullies' violently abused and exploited the 'prostitutes' under their control. However, they have also shown that in some instances women managed to resist their control and used the law to help defend themselves. The cases have also highlighted how complicated the relationships of 'bullies' and 'prostitutes' were, often involving romantic attachments, where power and control were not always in the hands of the men. Similarly, the relationships between 'brothel-keepers' and 'prostitutes' were equally complex, and those women labelled as 'brothel-keepers' were often equally likely to be labelled as 'prostitutes.' Although there were certainly elements of exploitation, the power balance between 'prostitutes' and 'brothel-keepers' was far from straightforward.

Chapter Six: Clandestine Prostitution and the Kosmo Club.

Introduction

On November 27 1933, the trial of Asher Barnard, Edwin Jones and James Black began in Edinburgh's Sheriff Court. The charge against them was that they had 'conspired together with a view to gain from prostitution of employees engaged in the said club as dance partners, and that while acting in concert they did knowingly live wholly or in part on the earnings of prostitution.'¹ The club that the charges referred to was the Kosmo Club, owned by Asher Barnard and managed by Edwin Jones with the help of the floor manager James Black. It first opened in 1923 at number 20 Swinton Row in the East End of Edinburgh and was originally known as the Bohemian Dance Club until the name was changed to The Kosmo in 1928. The venue was a popular destination for late night dancing and drinking, but it had long been suspected that it also functioned as a place where men could buy sex. This was done via 'booking-out', a system which involved a set payment to hire a dance partner for the evening. The women were called dance partners or dance instructresses, and it was supposed that they would dance with the men and teach them new steps. A fee of 30 shillings was charged for this service because it was supposedly equivalent to the sum of money that the woman could have earned had she been dancing with men individually (each dance was 6 pence per dance, and the managers estimated that she could have partaken in 60 dances during one evening). From these 30 shillings the women kept one third whilst Barnard and the Kosmo Club took two thirds. What took place during the evening, whether it was dancing, dinner, a car ride, or 'immoral relations', was allegedly a private matter.

Once a man had 'booked' a woman for the whole evening, he was allowed to take her wherever he chose, including outside of the club. Apparently this was so that he could go to bars or restaurants in-between dances and generally enjoy the woman's company for the whole evening. However, the police suspected that this system was merely a front for organised prostitution and that the patrons of the club who 'booked-out' women expected that they could buy sex. If this could be proved, then the men who owned and ran the club could be charged with 'aiding and abetting

¹ National Records of Scotland (hereafter NRS), HH16/1 'Criminal case file: Asher Barnard, Edwin Jones, James Black (The Kosmo Club immorality case, Edinburgh) 1933 – 1934, Indictment.

prostitution' and 'living off the earnings of prostitution' (as described in the Immoral Traffic (Scotland) Act 1902 Section 1 and the Criminal Amendment Act 1885, Section 7, Subsection 1).²

This chapter will use the Kosmo trial as a case study to examine how dance clubs were used as new venues for clandestine prostitution and to question what impact this had on the experiences of those involved. Firstly, the chapter will examine how dance club prostitution functioned within wider commercial sex networks and how it related to newly developing technologies. Secondly, the chapter will expand on the previous chapter by exploring how women who worked as dance hostesses experienced prostitution in the Kosmo Club. Thirdly, the chapter will examine the role that the owner and managers of the club played and question the extent to which they controlled and exploited the women who worked there and the ways in which the dance partners resisted this. Finally, the chapter will examine the social profile of the men who purchased sex and look beyond this particular case study for more examples of men's attitudes towards prostitution and the women who were involved in it.

The sources used in this case study include the precognitions made for the court case and a transcript that was taken at the request of William Merrilees. The latter is especially helpful as it provides in-depth details of the trial including exact descriptions of witness testimony. Merrilees' memoirs, *The Short Arm of the Law* are also used to provide more insight into the background of the trial, although, as will be discussed later in the chapter, these memoirs are not a purely factual account and must be used cautiously.³ Newspapers are also used to provide details of the trial and to analyse the ways in which the representation of the trial reflected popular narratives of 'white slavery' and influenced the public perception of dance clubs and the women who worked there.

² NRS, JC34/1/155, Sheriff and Jury *DIET*, 17 November 1933, p. 2.

³ William Merrilees, *The Short Arm of the Law, the Memoirs of William Merrilees, O.B.E., Chief Constable, the Lothians and Peebles Constabulary* (Edinburgh, 1966).

Dance Clubs and Prostitution

A 'dance revolution' at the start of the twentieth century meant that social dancing became an important part of nightlife entertainment.⁴ The arrival of American troops in Britain during the First World War introduced jazz and ragtime music to the British public, which was soon followed by new dances such as the charleston, the tango and the shimmy.⁵ To facilitate this increasing enthusiasm for dancing, new venues were created where, after the payment of a small entrance fee, men and women could go and dance to the music of a live band. However, as the dance halls and clubs proliferated, so too did opportunities to use these new spaces for more illicit activities. Although prostitution did not actually take place in these clubs, the venues functioned as locations where men could meet women who were willing to sell sex. The couple would then move to another location for the actual sex act.

The papers from the Kosmo trial show that the police had gathered considerable evidence to support the allegations that the accused were 'aiding and abetting prostitution'.⁶ For example, business cards from suspected 'immoral boarding houses' were found in the club, and it was alleged that Barnard, Jones and Black had conspired with the owners of these 'immoral houses' to send women there for the purpose of prostitution.⁷ Dance cards, which were used to calculate how many dances and 'bookings-out' each woman had undertaken, were provided as evidence to show that women were being 'booked-out' several times at once and on many different occasions during the same evening.⁸ Taxi drivers also testified to the fact that the dance instructresses had often left 'twice in one night with different men'.⁹ This contradicted the claim that the patron was paying to have the woman's company for the whole evening, clearly suggesting that these men were expecting more than just to dance in the short time that they had paid for. Other evidence included a box of pornography, condoms, and evidence that the minutes and 'signing in' books, which were needed to prove that the Kosmo was a legitimate members' club, were in

⁴ See, for example, Judith Walkowitz, *Nights Out: Life in Cosmopolitan London* (London: Yale University Press, 2012).

⁵ Martin Pugh, *We Danced All Night: A Social History of Britain Between the Wars* (London: Bodley Head 2008), p. 219.

⁶ NRS, JC34/1/155, trial transcript taken for the Sheriff Court at the trial of Asher Barnard, James Black and Edwin Jones, 27 November 1933 (hereafter, trial transcript).

⁷ NRS, JC34/1/155, List of productions in the sheriff and jury *DIET*.

⁸ NRS, JC34/1/155, trial transcript, witness testimony of Jean Fairbairn or Smith, p. 49.

⁹ NRS, JC34/1/155, trial transcript, witness testimony of Godfred Peterseen, p. 38.

fact forged.¹⁰ However, by far the most substantial evidence came from the witnesses. These included the police officers who had watched the club, men who had frequented the club, waiters, taxi drivers, and, perhaps most importantly, the women who had worked as dance partners in the Kosmo club.¹¹

These witness statements provided considerable evidence to suggest not only that the Kosmo Club was being used for the purposes of prostitution, but that there were other venues that functioned in a similar way, all of which were part of a larger network that incorporated taxis, lodging houses, hotels, brothels and private flats. The witness testimonies from the taxi drivers provide many references to the use of taxis as a means of transporting men and women to various venues around the city. The club effectively functioned as an easily accessible central location where men could go to meet women without needing to publicly solicit them on the street. In a few instances, the men had their own cars; however, in the majority of cases they used taxis. In some cases, the taxi itself was used as the location for sex. For example, several dance partners admitted that there had been 'immoral relations in the taxi'.¹² The compliance and discretion of these taxi drivers was vital, as they could potentially inform the police of any suspect behaviour. Clearly, the invention of, and increasing access to, the motor car, was an essential part in the organisation of this new type of clandestine prostitution. For example, the number of privately owned cars in the United Kingdom grew from nearly 110,000 in 1919 to 1,056,214 in 1930, before doubling again over the next eight years.¹³ Although car ownership was primarily confined to the middle and upper classes, a growing second-hand-car market was beginning to allow for some of the more affluent working-class wage earners to have access to a car.¹⁴ Additionally, the increasing use and availability of motorized taxis during the interwar period allowed for those on a more modest income to hire personal transport for a short period.¹⁵

¹⁰ Ibid.

¹¹ NRS, JC34/1/155, List of witnesses in the court DIET, p. 6.

¹² Edinburgh City Archives (hereafter ECA) ACC827, trial transcript taken by Edinburgh Police at the request of William Merrilees, 27 November 1933 (hereafter trial transcript), p. 123.

¹³ W. Knox, 'Transport and Scottish Society 1840-1940', in *A History of the Scottish People* (eds), National Museum of Scotland Multimedia Team (Edinburgh Scottish Cultural Resources Access Network) www.scran.ac.uk.

¹⁴ Ibid.

¹⁵ James Cooper, Ray Mundy and John Nelson, *Taxi! Urban Economies and the Social and Transport Impacts of the Taxicab* (Farnham: Ashgate, 2001).

The use of cars meant that men and women could be quickly and discreetly taken to venues away from the Kosmo Club for the actual sex act. Consequently, these dance clubs avoided contravening brothel legislation because no sex occurred on the premises. Several of the addresses mentioned by the taxi drivers and advertised on the business cards were known by the police to function as brothels. For example, 13 Hart Street was a suspected brothel run by Miss Thompson, and 14 Frederick Street was an 'immoral boarding house' and 'suspected brothel' run by forty-five-year-old Mrs Euphemia Sutherland. When Mrs Sutherland's 'immoral boarding house' was full, it was alleged that customers were instead sent to another suspected brothel on Leith Street run by Mrs Kemp.¹⁶ Other brothels that were used by the dance partners included 6 East Clermont Street, run by forty-seven-year-old Marie Stewart, and 7 Hillside Crescent. In some instances it appears that the owner of the 'immoral boarding house' simply 'turned a blind eye' to the suspicious circumstances surrounding a man and a woman who came late at night claiming to be man and wife. However, in other cases the owners actively encouraged men and women to go to their premises for prostitution by leaving their advertisement cards at the Kosmo Club and allowing couples to pay '10 shillings to occupy the room for 30 minutes'.¹⁷ Other possible venues for prostitution were the homes or offices of the patrons. For example, one woman described how the patron and herself went 'back to his office' and another woman from Glasgow described how they sometimes went 'to the suburbs, where they could be free from police interference'.¹⁸ The women also mentioned visiting several hotels, such as the Hotel Royal and the Chimes Hotel, although it is unclear whether prostitution actually occurred in these hotels, or whether they just went there for drinks.¹⁹

Another influential technology was the telephone. According to several witnesses, 'a system of phone booking' was in operation at the Kosmo Club.²⁰ For example, Robert Swan described how he 'got in touch with the instructresses by

¹⁶ ECA, ACC827, trial transcript, p. 112.

¹⁷ ECA, ACC827, trial transcript, p. 351 and 329; ECA, ACC827, trial transcript, p. 112.

¹⁸ ECA, ACC827, trial transcript, p. 70; GCA, T. PAR 1.16, p. 279, *Memorandum on the Social Evil in Glasgow*, p. 6.

¹⁹ ECA, ACC827, trial transcript, p. 138.

²⁰ *Daily Express*, 2 December, p. 8.

telephone'²¹ after being told by his friend, Paul Slater, that 'if he telephoned for a girl that would be alright'.²² He did not speak to the dance instructresses directly, but instead 'left a message for them to meet [him]. I had a car nearby, and they met me there.'²³ Agnes Dawson also explained how she was 'booked by telephone to go to an office in Leith',²⁴ and Florence Hunter confirmed that she 'had the experience of telephone booking twice'.²⁵ Although the more clandestine nature of the Kosmo Club meant that entering the club was less conspicuous than entering a brothel, the Kosmo Club's reputation was not sufficiently respectable enough for some men to risk discovery in such an establishment. Therefore, the use of the telephone allowed men almost complete secrecy.

However, Barnard made sure that the dance partners did not have direct or free access to the telephone. For example, when Florence Hunter was asked how often she used the telephone to arrange meetings with men, she replied by explaining that the women at the club were 'forbidden from using the telephone' and that arrangements were instead made by one of the managers.²⁶ Telephone use was becoming increasingly common by the 1930s, but it was unlikely that the women would have had access to a home telephone. For example, from data compiled using the UK Post Office statistics, in 1930 the number of telephones per 100 people was only 4.1, and in 1935 it was still only 5.1.²⁷ The dance partners were therefore dependant on the Kosmo Club as a place where they could receive calls. Barnard's concern about the women having access to the telephone shows that he already realised the potential threat to his business if the 'middle man' could be made obsolete. As the century progressed and access to telephones became more widespread, this 'fear' would start to become realised.²⁸ Nevertheless, this early use of the telephone gives us a tantalising glimpse of how the 'call girl' industry began.

²¹ ECA, ACC827, trial transcript, witness testimony of Robert Swan, p. 221.

²² *Daily Express* 2 December, p8.

²³ ECA, ACC827, trial transcript, witness testimony of Robert Swan, p. 221.

²⁴ ECA, ACC827, trial transcript, witness testimony of Agnes Dawson, p. 70.

²⁵ ECA, ACC827, trial transcript, witness testimony of Florence Hunter, p. 122.

²⁶ *Ibid.*

²⁷ S.N Broadberry, *Market Services and the Productivity Race, 1850-2000: British Performance in International Context* (Cambridge: Cambridge University Press, 2006), p. 112. Data table compiled from the UK Post Office statistics.

²⁸ *Ibid.*

As described in an article in the *Scotsman*, 'booking-out [was] not a system unique to the Kosmo Club and it was open to wide abuse.'²⁹ For example, The Savoy on Cockburn Street also employed dance instructresses who could be 'booked-out', and The Havana Dance Club, located at 120 Princes Street and owned by Thomas Delworth, was the only other dance club with a 'booking-out' system that, like the Kosmo Club, was also open until 4am. There appears to have been rivalry between these different clubs, and Barnard feared that his dance partners and customers might leave his club in favour of one of his competitors. Several other dance clubs and halls also employed dance instructresses, such as The Palais, The Palaza, Dunedin and Maximes, although, according to the witness testimony of Helen Campbell who used to work as a dance instructress, only the latter two had a system of 'booking-out' similar to the Kosmo Club and the Havana. Although it is not clear whether all 'booking-out systems' were used as a form of clandestine prostitution, there appears to have been a distinction between those dance halls or clubs that were seen as 'respectable' and those which were suspected to be 'immoral'. The Kosmo and the Havana, with opening hours much later than those of the other halls, appeared to have been viewed as 'less respectable', and it is likely that it was only in these types of venues that 'booking-out' was synonymous with prostitution.

Women's Experiences of Working at the Kosmo Club

One of the most obvious similarities between the women was their age profile. They were all relatively young, with the majority aged between twenty-three and twenty-four, but some were as young as eighteen and none was above the age of thirty-one. It would appear, therefore, that youth was a key criterion. Considering that the fee of thirty shillings was relatively expensive, it is possible that older, less attractive women were not hired to work in these more 'up-market' venues. The low age range could also reflect the possibility that this type of work was something that young women engaged in for a short period of time, but left relatively early before it became a long-term career. The absence of any of the dance partners' names from police and prison registers suggests that they either left prostitution before they were

²⁹ *Scotsman*, 8 December 1933, p. 8.

arrested, or continued to work in off-street establishments and therefore avoided the surveillance of the police.

As described in chapter five, the voices of the women involved in prostitution are hard to recover because they were unlikely to have had access to a means of recording and preserving their experiences in a way that is accessible to historians. Although it is possible to learn more about them through the organizations and institutions which attempted to police, reform and care for them, these records are heavily mediated. The witness statements given by the women during the Kosmo trial, however, provide a rare opportunity to obtain details of their experiences, as described in their own words. Whilst it must be remembered that court testimony is a 'staged performance' and therefore not without its own methodological problems stemming from the witnesses' need to vindicate herself in front of the bench and her peers in the public space of the courtroom, the witness testimonies given by the Kosmo dance partners enable us to gain a unique insight into the lives and experiences of these women and offer a fuller and more personal picture of the realities of 'booking-out'.³⁰

One of the most detailed witness statements was from twenty-four-year-old Elsie Bibby. Bibby originally came from Manchester and was described as 'a good looking blonde, of more than average height and of smart appearance'.³¹ In her witness statement she explained how she was 'flabbergasted' when she realised that the club was nothing more than a 'sink', but she could not leave because she 'had not enough money'.³² The *Scotsman* reported that 'her mother was not a widow... [but] her father did not live with them'.³³ It was also reported that she used to work as a chorus girl and a cafe supervisor.³⁴ This gives us some important information about her personal life, suggesting that she was from a single-parent working-class background, and that a mixture of a sudden change in environment and the economic uncertainty that this caused were the primary reasons why she chose to continue working at the Kosmo Club. Bibby's testimony also provides us with examples of her experience of being 'booked-out'. Bibby described how, on her first night, Black

³⁰ Shani D'Cruze, *Crimes of Outrage, Sex Violence and Victorian Women* (London: UCL Press, 1998).

³¹ *Scotsman*, 30 November 1933, p. 8.

³² NRS, JC34/1/155, witness testimony of Elsie Bibby, pp. 22-24.

³³ *Ibid*, p. 27.

³⁴ *Scotsman*, 1 December 1933, p. 13.

told her 'I will give you an address to go to', and when she asked what he meant by this, he told her to 'stay the night'.³⁵ She explained how one customer 'took me towards Leith and started to pull me about. The car door was locked and I was yelling.'³⁶ On another occasion she described how a patron 'pushed me into the bedroom. He got rough. Said he wanted satisfaction.'³⁷ Bibby was adamant that the managers 'put their heads together and got the idea to book a girl for 30/- to get a clean woman from the club and not the street', and she re-emphasised this by adding that she had 'come to a nasty place. My virtue was for sale at any moment.'³⁸ The language used in this account may have been selected for its emotive currency with the jury. However, if the traumatic events described in this testimony are accurate, it would appear that violence and intimidation were a central part of life as a dance partner.

Another dance partner, Margaret Armour (known as Pearl), aged twenty-three, also experienced violence working at the Kosmo Club. She described an incident when an 'Egyptian used bad language, thrashed me about', and when she told Barnard that 'he had been nasty', he simply told her to 'go back to the box again' to wait for another man to 'book' her.³⁹ Florence Hunter (known as Flo), also aged twenty-three, and described as being 'married, with a husband and two children', admitted that 'on some occasions the purpose of booking-out was immoral. But her husband '[didn't] know'.⁴⁰ In her testimony she recalled an occasion when, out in the countryside, two male patrons tried to force her out of the taxi and into the rain, which made the other dance partner so angry that she struck the patron, and the two women then ran away.⁴¹ On another occasion, she recalled how she refused to be 'booked-out' by a man who wanted 'something of a very indecent nature, apart from ordinary fornication.'⁴² These examples give an insight into some of the dangers dance partners faced, but also highlight the strength and courage these women needed in order to survive in that environment.

³⁵ NRS, JC34/1/155, witness testimony of Elsie Bibby, p. 22.

³⁶ Ibid, p. 23.

³⁷ Ibid, p. 26.

³⁸ Ibid, pp. 23 and 26.

³⁹ NRS, JC34/1/155, witness testimony of Margaret Armour, p. 5.

⁴⁰ NRS, JC34/1/155, witness testimony of Florence Hunter, p. 19.

⁴¹ ECA, ACC827, trial transcript, p. 211.

⁴² ECA, ACC827, trial transcript, witness testimony of Florence Hunter, p. 212.

Although three of the fourteen dance partners who were called as witnesses admitted that prostitution took place when they were 'booked-out', the other eleven witnesses recorded in the sheriff's notes denied that any immorality took place. For example, Marrie McDonald Robertson, aged twenty-three, Eva Duckenfield, aged eighteen, Margaret Purdie Lynch, aged twenty, and Catherine D'Agostino, aged twenty-seven, all denied that 'booking-out' was for immoral purposes. Similarly, Helen Campbell, a thirty-two-year-old widow with two children, aged four and seven, insisted that she 'never had immoral relations with anyone',⁴³ and Agnes Dawson, aged twenty-nine, also denied immoral relations, even though the police had found her nude in bed with a patron of the Kosmo Club at 13 Hart Street (a known brothel).⁴⁴ Nancy Cuminisky explained that 'she could make enough money from dancing without needing to be 'booked-out', but she still maintained that the 30 shillings 'booking-out' fee was paid for the woman's company and not immorality.⁴⁵ If this was the truth, it seems strange that Nancy turned down 30 shillings for providing such (apparently) innocent company.

Nonetheless, it does appear that some women chose not to 'book-out'. For example, Margaret Armour described how not all of the instructresses 'booked-out' very often, and that 'probably some of them preferred it that way'.⁴⁶ These women therefore managed to defy the pressure placed on them to be 'booked-out' and instead chose not to engage in prostitution. However, in the case of some women, such as Nancy Cuminisky who had been found naked in a brothel but denied that 'booking-out' led to prostitution, it is possible to assume that they may have been lying about the nature of 'booking-out'.⁴⁷ There are several reasons why it may have been advantageous or necessary for these women to lie about their involvement in prostitution at the Kosmo Club. Firstly, it is likely that they did not want to be labelled as 'prostitutes' for various reasons. Not only would it make them liable to future arrest; they may have wanted to keep their involvement in prostitution a secret to avoid the stigma associated with commercial sex. Secondly, they may have been fearful of the consequences of incriminating Barnard. Not only would testifying

⁴³ ECA, ACC827, trial transcript, witness testimony of Helen Campbell, p. 81.

⁴⁴ NRS, JC34/1/155, witness testimony of Agnes Dawson, p. 10.

⁴⁵ NRS, JC34/1/155, witness testimony of Nancy Cuminisky, p. 9.

⁴⁶ ECA, ACC827, trial transcript, witness testimony of Margaret Byres Armour, p. 40.

⁴⁷ NRS, JC34/1/155, witness testimony of Agnes Dawson, p. 10.

against their boss lead to potential unemployment; it appears that Barnard attempted to intimidate the women in other ways. For example, twenty-four-year-old Catherine Wallace and twenty-three-year-old Frances Robertson were labelled as 'hostile witnesses' because they were suspected of being influenced by Barnard who had been seen talking to them (on George IV Bridge) the evening before their court appearance.⁴⁸

William Merrilees, the sergeant in charge of the licensing department and the investigation of the Kosmo Club, also claimed that Barnard and others 'tried, by threats and promises, to get at the witnesses, to frighten them from giving evidence or to make them alter or retract their statement.'⁴⁹ Within his memoirs, Merrilees frequently makes similar accusations about the 'viciousness' of Barnard and his bullying of witnesses.⁵⁰ However, police memoirs as a source must be used cautiously. As Paul Lawrence argues, whilst the authors of police memoirs typically profess to tell the truth, 'there are problems in judging where fact and fiction collide in these works'.⁵¹ Lawrence describes how, on the one hand, the memoirs became increasingly 'more lurid and sensational', but on the other hand, authors attempted to outline the ways in which they had 'contributed to the bettering of society'.⁵² Merrilees' memoir similarly attempts to depict a heroic image of himself as a man who significantly reduced vice in Edinburgh, and his depiction of Barnard as a dangerous bully is perhaps exaggerated in an effort to sensationalise the importance and success of his mission to rid the city of vice. Additionally, Merrilees appears to have had a personal vendetta against Barnard and the Kosmo Club. For example, Merrilees' description of arresting Barnard demonstrates just how much contempt he felt for the man and the satisfaction he gained from securing his arrest. Merrilees described how, when he read the warrant for his arrest, Barnard at first possessed:

contempt, confidence, and a sort of boys-will-be-boys attitude... he was so sure of himself... but as I continued to read, a change came over the man. The import of it all and the terms of the charge began to sink in, and like a pricked balloon Asher Barnard collapsed. Quite suddenly this big-

⁴⁸ ECA, ACC827, trial transcript, p. 196.

⁴⁹ Merrilees, *The Short Arm of the Law*, p. 96.

⁵⁰ Ibid.

⁵¹ Paul Lawrence, 'Scoundrels and scallywags, and some honest men...': Memoirs and the Self-Image of French and English Policemen, c. 1870-1939', in *Comparative Histories of Crime* (eds), Barry S. Godfrey, Clive Emsley, Graeme Dunstall (Cullompton: Willan, 2003), p. 126.

⁵² Ibid, pp. 130-134.

shot, this racketeer, for so long invulnerable, who claimed as friends, inmates and supporters some of the most influential names in Scotland, broke down like a snivelling child. Indeed, he actually fouled his clothing in abject fear.⁵³

Police memoirs are clearly, therefore, not without personal bias and should not be taken solely as fact. However, when taken together with other sources which authenticate their contents, they can provide a useful source.

The powerful influence that Barnard and the other managers wielded over the women is clearly demonstrated throughout the witness testimonies. Many of the statements explain how the dance partners were not allowed to live in their own flats and were instead forced to live in lodgings chosen by Barnard.⁵⁴ In his defence, Barnard insisted that this measure was intended to protect the women and to ensure that they were living in respectable accommodation.⁵⁵ However, as pointed out during the trial, it would also have served to restrict their privacy and to monitor their activities outside of the club, effectively meaning that they could not work without Barnard making a profit. This method of control took a variety of forms, including a list of rules which forbade them to use the telephone, to visit the Havana Club (a rival dance hall on Princes Street) or to loiter around the coffee stalls (an area where 'street walkers' solicited men).⁵⁶

However, the witness testimony also suggests that the women often ignored these rules. For example, Armour explained that the dance partners (including herself) knew the rules but 'they were not carried out'.⁵⁷ Another witness admitted that:

these rules were not always obeyed. She knew of three girls who had been threatened with dismissal unless they left a flat they were staying in, and they had preferred to leave the club... there was quite a lot done underhand by the girls.⁵⁸

Armour also explained that she 'wasn't employed for compulsory service. I led my own life'⁵⁹, and Flo Hunter described how she told Barnard: 'I was not going to take

⁵³ Merrilees, *The Short Arm of the Law*, p. 94.

⁵⁴ NRS, HH16/1 Kosmo Club Trial Press Reports of Trial (hereafter Press Reports), *Dundee Courier and Advertiser*, 7 December 1933.

⁵⁵ NRS, JC34/1/155, witness testimony of Barnard, p. 57.

⁵⁶ ECA, ACC827, trial transcript, witness testimony of Asher Barnard, pp. 410-411.

⁵⁷ ECA, ACC827, trial transcript, witness testimony of Margaret Armour, p. 31.

⁵⁸ Ibid.

⁵⁹ Ibid, p. 29.

anybody anywhere.⁶⁰ Similarly, twenty-three-year-old Frances Robertson described how she 'broke rules by taking drink';⁶¹ twenty-four-year-old Marie McDonald was temporarily dismissed for attending the Havana club and living in her own lodgings;⁶² and seventeen-year-old Elizabeth Harcus refused to be 'booked-out' by men who asked her to do something she did not like.⁶³ The extent to which women did break the rules depended on their individual personality and economic situation. Nevertheless, this type of evidence demonstrates how women were capable of determining at least some aspects of their situation, demonstrating a level of agency which is often overlooked when the label of 'passive victim' is too quickly given to all of those who engaged in prostitution.

The fact that several of the dance partners were willing and able to testify against Barnard in the court room also demonstrates their ability to resist his influence. Although Barnard succeeded in intimidating some women so that they would not testify against him, he could not bully all of them. Similarly, the testimony of the dance partners also suggests that they were capable of challenging, not only the power and authority of Barnard, but also the police, Procurator Fiscal and other lawyers. For example, during her cross-examination by the Procurator Fiscal, Agnes Dawson criticized the police on several occasions, complaining that she 'didn't have a chance to say anything' when questioned by the officers because 'if you didn't say yes, your statement was thrown in front of you and you were called a liar.'⁶⁴ Her willingness to accuse the police of misconduct and to argue with the Procurator Fiscal in court demonstrates a considerable amount of self-assurance.

John Carter Wood has described how increased reporting of abuses of police powers during the 1920s, in cases such as the excessive interrogation and sexual harassment of Irene Savidge by police in 1928, meant that public awareness of such abuses had increased – potentially leading to more complaints, both founded and unfounded.⁶⁵ It is possible, therefore, that Agnes Dawson was drawing on these references to help her, either to voice her experience of police misconduct, or to

⁶⁰ ECA, ACC827, trial transcript, witness testimony of Florence Hunter, p. 124.

⁶¹ ECA, ACC827, trial transcript, witness testimony of Frances Robertson, p. 30.

⁶² ECA, ACC827, trial transcript, witness testimony of Marie McDonald, p. 109.

⁶³ ECA, ACC827, trial transcript, witness testimony of Elizabeth Harcus, p. 32.

⁶⁴ ECA, ACC827, trial transcript, witness testimony of Agnes Dawson, p. 67.

⁶⁵ John Carter Wood, 'The Third Degree: Press Reporting, Crime Fiction and Police Powers in 1920s Britain', *Twentieth Century British History*, 21, 4 (2010) pp. 464-485.

fabricate an accusation to help her defence. If her claims were true, then it also shows how vulnerable these women were, not only in relation to dance club managers, but also to pressure from the police. Nonetheless, although she was vulnerable in relation to these competing powers, her ability to strongly defend herself in court shows that she was far from a passive victim.

The rules laid down by Barnard meant that many of the women lived together. For example, at least three of the dance partners lived at 13 Hermitage Place in Leith, and another two lived together at Hart Street.⁶⁶ It may be difficult to confirm, but if the women lived and worked together, it is possible to speculate that friendships might have developed between some of them. The witness testimony shows that the women were often 'booked-out' in pairs or in small groups, and for most women it is fair to assume that this kind of group work would have been safer than working alone and therefore preferable.⁶⁷ However, a statement made by Pearl Armour, which described how she was 'not on talking terms with the other girls at all, I had not time for them and they had no time for me', suggests that not all of their working relationships were friendly. Nevertheless, her use of the words 'they' and 'them' suggests that at least some of the dance instructresses did form a collective unit, albeit one from which she was separate.⁶⁸

Julia Laite suggests that in Metropolitan London the increased criminalisation of prostitution during the early twentieth century forced women off the streets and into more clandestine environments, which consequently resulted in the break-up of women's support and friendship networks.⁶⁹ This certainly may have been the case for those women who moved from street solicitation to working alone in flats. However, the women working in the Kosmo Club were not isolated from each other and had many opportunities to work and live together. It appears, therefore, that both the environments of the street and the dance club allowed women to form support networks, and whether or not women preferred to work alone or to form friendships depended on the individuals involved rather than inherent qualities of these different types of spaces. Conversely, as seen in chapter five, situations where a woman lived

⁶⁶ NRS, JC34/1/155, schedule from of the court DIET p. 2.

⁶⁷ See, for example, ECA, ACC827, trial transcript, witness testimony of Georgena McArtney, p. 93.

⁶⁸ ECA, ACC827, trial transcript, witness testimony of Pearl Armour, p. 45.

⁶⁹ Julia Laite, *Common Prostitutes and Ordinary Citizens: Commercial Sex in London, 1885-1960* (Basingstoke: Palgrave Macmillan, 2012).

alone with a 'pimp' appear to have been the type of arrangement that was most likely to result in her being isolated and vulnerable to abuse.

The question of whether the women were free to choose if, and when, they engaged in prostitution whilst working at the Kosmo Club raises more uncertainties. Pearl Armour explained how there was 'no compulsion to be booked out ... [but] she depended on booking-out principally for her income. Women who depended entirely on what they made from dances might not make 10d a night. They got 2d for each dance.'⁷⁰ By examining the dance cards which documented each woman's weekly earnings, the lawyers showed that without the extra money they earned from being 'booked-out', the women's wages were considerably lower. For example, Nancy Cuminsky only earned £1.10.3d and Georgina McArthney only 16s.8d without 'booking-out', whereas Elsie Bibby earned £3.41d a week because of the 'booking-out' fees she received.⁷¹

On the one hand, this suggests that 'booking-out' was not a system of forced prostitution. On the other hand, it highlights how problematic the notion of 'choice' was in view of the economic advantage that 'booking-out' offered. Considering that these women had to provide for themselves, and in some situations for their entire families (as in the case of Helen Campbell, a widow with two young children), choosing not to earn these higher wages may not have been a viable option. The reasons why these women chose to engage in prostitution were, therefore, undoubtedly rooted in wider socio-economic factors similar to those described in chapter five.

Perceptions of Prostitution

The Kosmo trial is a particularly valuable source for analysing the different ways in which people understood prostitution during this period, especially the women themselves. For example, the following court dialogue between the Procurator Fiscal and Pearl Armour demonstrates how differently they both understood prostitution:

(Procurator Fiscal, P.F) The crown says that you are a prostitute. Have you anything to say about that? **(Pearl Armour, P.A) I would not like to say.**

⁷⁰ NRS, HH16/1 Press Reports, *Glasgow Herald*, 28 November 1933.

⁷¹ ECA, ACC827, trial transcript, witness testimony of Nancy Cuminsky, p. 62; Georgina McArthney, p. 102; Elsie Bibby, p. 166.

(P.F) Are you seeking to go back on the answer you gave me? (P.A) **I am going back on nothing. I understand that a prostitute is a street woman who takes any man who comes along.**

(P.F) Let me put it more clearly. Any woman who hires out her body for gain is a prostitute? (P.A) **As you put it, the only answer is yes.**

(P.F) Then you now stand confessed as a woman without virtue? (P.A) **You are putting it that way.**⁷²

Whilst Armour made a clear distinction between what she did, as opposed to what a prostitute did (something she considered to be defined by indiscriminate street solicitation), the Procurator Fiscal argued that any woman who hired out her body was a prostitute and therefore necessarily without virtue. In another cross examination, Armour was asked whether she had 'ever solicited with any man for the hire of her body for payment of money?' Armour insisted that she had not solicited with *any* man, and when questioned about whether she had ever importuned or been convicted for prostitution, she replied 'never; I never had to yet', thus suggesting that she saw importuning as something separate from what she did, an undesirable activity in which she did not need to engage.⁷³ It appears, therefore, that Pearl and the Procurator Fiscal shared some similar notions about the role that importuning and being convicted for prostitution played in defining what constituted being a prostitute. However, it is equally clear that the Procurator Fiscal had little understanding or appreciation of the complex distinctions the women used to define prostitution, respectability and status.

Another comment from the Procurator Fiscal again demonstrates the variety of connotations associated with the label 'prostitute'. In the following address to the jury, the women are no longer portrayed as immoral liars, but as the poor victims of white slavers:

men are sitting back and watching the degradation of women and taking the spoils of that degradation – a case of white slavers taking young women into their employment without considering their moral upbringing – a case of placing them in the line of temptation in the hope they would succumb without consideration as to whether they were willing or not.⁷⁴

⁷² NRS, HH16/1 Press Reports, *Daily Express (Scotland)* 1 December 1933.

⁷³ ECA, ACC827, trial transcript, witness testimony of Pearl Armour, p. 34.

⁷⁴ NRS, HH16/1 Press Reports, *Dundee Courier and Advertiser*, 7 December 1933.

In this account, men became the true villains, and it was acknowledged that many of the women were involved in prostitution for reasons beyond their control. This clearly demonstrates how the meaning behind the phrase 'white slave' had evolved from the nineteenth-century literal meaning (referring to a woman who had been physically forced or trapped into prostitution abroad) to a more symbolic interpretation and usage.⁷⁵ Nevertheless, this use of white slavery terminology shows that it was still necessary to label women as victims in order to voice empathy towards them. Another address given to the jury (this time by Barnard's lawyer, Mr D.P. Blades) again shows just how variable the connotations of 'prostitute' could be, even within one court case:

One of the cruellest things done in this case was the indiscriminate branding of these Kosmo dance partners as prostitutes. These women might be of lowly origin, but they are not entitled to be stigmatized and branded as the lowest of womankind without positive proof.⁷⁶

The question of whether these women were 'prostitutes' was obviously an important element in determining whether the defendants were guilty of aiding prostitution. However, the question of whether it was fair to label 'prostitutes' as the 'lowest of womankind' remained unasked. There was evidently a fine, but very symbolic, line between being a dance partner and a 'prostitute'. The status of those who crossed that line and engaged in prostitution was perceived as much lower than that of dance partners, and unless they were victims of white slavery (literal or symbolic), there was little sympathy for those who could be unmistakably labelled as 'prostitutes'. However, the witness testimony has shown that this sentiment was not shared by all, and for the women involved in prostitution, this 'fine line' could be, and was, drawn at different boundaries.

One of the most important examples of these boundaries was the one between indoor and outdoor prostitution, and the witness testimony given by Elsie Bibby provides some insight into the importance of these distinctions. During the trial, Bibby described how men came to the Kosmo club because they could 'get a clean woman from the club not the street', implying that street prostitution was more

⁷⁵ See, for example, E. Bristow, *Prostitution and Prejudice: the Jewish Fight against White Slavery, 1870-1939* (Oxford: Clarendon, 1982); Katarina Leppänen, 'Movement of Women: Trafficking in the Interwar Era', *Women's Studies International Forum*, 30, 6 (2007) pp. 523-533.

⁷⁶ NRS, HH16/1 Press Reports, *Daily Express (Scotland)*, 8 December 1933.

commonly associated with venereal disease.⁷⁷ If the dance instructresses were to become associated with 'street prostitutes', this would ruin the illusion that they only worked in the club and were therefore 'clean' (something worth paying a higher price for). This method of labelling and categorising clearly demonstrates that a hierarchy did exist among the different methods of prostitution.

However, this apparent separation between indoor and outdoor prostitution was not always adhered to, especially if independent soliciting could be more economically advantageous. For example, Barnard explained that he was concerned about the reputation of his dance instructors being damaged if they were seen loitering near the coffee stalls, implying that some women from the Kosmo Club also worked on the street.⁷⁸ With Barnard taking two-thirds of their earnings, it may have been more profitable for the women to work independently on the street. This suggests that there was some flexibility, but also that distinctions were complex. For example, one particular incident highlights how precarious these indicators of status could be. In her court testimony, Bibby described how some women who did not work at the club came to sit with the men she was talking to and that because these women were 'hanging on', it made her feel 'cheap'.⁷⁹ This suggests that whilst she was on her own with the men, she felt that she was in charge of the situation, but when women from outside the club (whom she viewed as inferior to herself) imposed on her space by attracting the attention of the men she was with, her sense of superiority was jeopardised because the men did not understand or share the subtle distinction she made between herself and women from outside the club. This single example suggests just how complicated the social hierarchies could be.

The trial raises several questions about identity, especially regarding the labelling of women as 'prostitutes'. The lawyers' testimony demonstrates how difficult this process was and suggests that contemporaries were well aware that not all women involved in prostitution fitted the stereotypical characteristics attributed to

⁷⁷ NRS, JC34/1/155, witness testimony of Elsie Bibby, p. 23; For further literature on the connections between prostitution and venereal disease see, for example, Richard Davenport-Hines, *Sex, Death and Punishment: Attitudes to Sex and Sexuality in Britain since the Renaissance* (London: Collins, 1990); Adrian Bingham, 'The British Popular Press and Venereal Disease During the Second World War', *The Historical Journal*, 48:4 (2005), 1055-1076; Mary Spongberg, *Feminizing Venereal Disease: The Body of the Prostitute in Nineteenth-Century Medical Discourse* (London: Macmillan, 1997).

⁷⁸ NRS, JC34/1/155: witness testimony of Asher Barnard, p. 57.

⁷⁹ ECA, ACC827, trial transcript, witness testimony of Elsie Bibby, p. 157.

the 'common prostitute' or 'fallen woman'. For example, Barnard's defence lawyer, Mr Blades, was keen to point out that 'one act of illicit intercourse does not make a woman a prostitute, otherwise everyone in this country who has been divorced on the grounds of adultery is a prostitute.'⁸⁰ However, the Procurator Fiscal, James Adair, was a little more certain about how to identify 'prostitutes', claiming that often 'you can tell at a glance' who is a prostitute because 'the Babylonian stamp is on them, and nothing will efface it.'⁸¹ However, he was prepared to admit that some women (in this case, Pearl Armour) did not 'look like a member of the profession.'⁸² Visual representation was evidently important, and when these visual signifiers were no longer obvious, it was only because she 'quite brazenly gloried in the fact' that her involvement in prostitution was 'her own business' that it was possible to identify her as a prostitute.⁸³ The Procurator Fiscal's open disgust towards this situation revealed his anxiety about losing control over how these women were to be identified, and about the power that Armour had to choose, change or hide her identity.⁸⁴ A further indicator of his apprehensions towards the fluidity of performances of gender and sexuality can be seen in his later explanation that 'nobody is quicker at spotting a wrong-un [sic] in amongst their own kind than a woman.'⁸⁵ On the one hand, this demonstrates how he believed gender was important in identifying 'prostitutes', reinforcing the notion that prostitution was a female activity and that women were therefore best-placed to 'spot' 'prostitutes', because 'mere man' had lost the power to do so. On the other hand, the statement also acted as a form of self-reassurance, reiterating the notion that a 'prostitute' was 'someone' that can be identified and therefore safely controlled.

The response of the public towards the Kosmo trial is also a useful indicator of public attitudes towards prostitution. The trial attracted considerable attention from the general public; large crowds gathered outside the court each day, and

⁸⁰ ECA, ACC827, trial transcript, Mr Blades, p. 466.

⁸¹ ECA, ACC827, trial transcript, Procurator Fiscal, p. 462; James Adair would later become a prominent member of the Wolfenden Committee, which in its 1957 report commended the increased penalization of solicitation offences. See Roger Davidson and Gayle Davis, *The Sexual State: Sexuality and Scottish Governance, 1950-1980* (Edinburgh: Edinburgh University Press, 2012).

⁸² *Ibid.*

⁸³ *Ibid.*

⁸⁴ See, for example, Julia Laite, 'Taking Nellie Johnson's Fingerprints: Prostitutes and Legal Identity in Early Twentieth-Century London', *History Workshop Journal*, 65 (2008) pp. 96-116.

⁸⁵ *Ibid.*, p. 464.

detailed reports of the trial appeared in several different newspapers.⁸⁶ Merrilees even suggested that newspapers in England, New York and Australia had covered the trial.⁸⁷ For example, there were two reports in *The Times*, one on 8 December 1933, briefly providing an overview of the trial, and the other on 25 January 1934, covering the appeal.⁸⁸ There was also brief coverage of the trial in the *Manchester Guardian* on 30 November 1933 and another, more, in-depth report on 7 December 1933, which gave direct quotations from Barnard and a summary of the speech given by the Procurator Fiscal, insinuating that this trial was a case of 'white slavery'.⁸⁹ This suggests that the trial must have been of at least some significance for it to be nationally reported in London and Manchester. The wide range of newspapers from across Scotland that covered the trial, such as the *Dundee Courier*, *The Daily Express (Scotland)* and *The Glasgow Herald*, also shows that it was of considerable interest throughout Scotland and not just within Edinburgh.

The trial occupied considerably more column space than was usually given to other criminal trials, suggesting that the public were particularly interested and concerned about prostitution and immorality in the city. The reports focused primarily on accurately reporting the details of the trial, especially the witness testimonies. The reports were mainly sympathetic towards the women, with little critical or degrading language used to describe the dance partners. Instead, the reports focused on the women's experiences of exploitation and abuse at the hands of the Kosmo managers. In contrast, the male managers, and in particular Barnard, were demonised as white slavers with little sympathy voiced on their behalf. The accounts followed a particular press narrative that had developed around the rhetoric of the 'white slavery', a narrative which became prominent after the highly publicised crusade against white slavery that was instigated by W.T. Stead's 1885 article, *The Maiden Tribute of Modern Babylon*.⁹⁰ Adrian Bingham has shown how the use of recurring narratives allowed the reader to 'consolidate stereotypes of 'deviants' – and Barnard certainly appeared to fit the character of the 'evil outsider' who sold

⁸⁶ *Scotsman*, 8 December 1933, p. 9.

⁸⁷ Merrilees, *The Short Arm of the Law*, p. 104.

⁸⁸ *The Times*, 8 December 1933, p. 11; *The Times*, 25 January 1934, p. 4.

⁸⁹ NRS, HH16/1 Press Reports, *Manchester Guardian*, 30 November 1933; 7 December 1933.

⁹⁰ William T. Stead, 'The Maiden Tribute of Modern Babylon', parts I-IV, *Pall Mall Gazette*, 6, 7, 8, 10 July 1885.

innocent young women into sexual slavery.⁹¹ Bingham explains how, although the press was particularly interested in 'criminal and morally transgressive activities', they had to use 'a euphemistic style that drew a veil around the most explicit details' and showed support for 'the law, the police, and conventional morality'.⁹² Therefore, this white slavery narrative which focused on the immorality of Barnard allowed for the discussion of an illicit subject matter, whilst 'stirring up hostility to individuals seen to be breaking moral codes of behaviour'.⁹³

There was also a considerable amount of newspaper coverage regarding the allegations that the police had forced the women to confess to immorality. Several of the women, including Agnes Dawson, Georgina McArtney, and Maries McDonald, insisted that they were 'pressed' into admitting to immorality, and that when they tried to protest, they were called 'a little liar'.⁹⁴ It was also suggested in several newspapers that Elsie Bibby was an actress working as a spy for the police.⁹⁵ If this was true, it would support the allegations that the police were fabricating evidence. The newspapers did not actually accuse the police of malpractice; however, the fact that the dance partners' testimonies were being treated as equally important as those of the police demonstrates the editors' willingness to believe these women above the police. This suggests that the newspapers, and to some extent the general public, were willing to question the integrity of the police. In the light of the highly publicised trial of Sergeant Goddard for corruption in relation to the policing of prostitution that occurred in London during 1929, and the abuse of police powers that was highlighted in the case of Irene Savidge in 1928, both of which led to the setting up of the 1929 Committee on Police Powers and Procedures, it is perhaps understandable that the public would have been wary about police corruption.⁹⁶

⁹¹ Adrian Bingham, *Family Newspapers? Sex, Private Life and the British Popular Press, 1918-1978* (Oxford: Oxford University Press, 2009), p. 159.

⁹² *Ibid.*, p. 125; p. 132.

⁹³ *Ibid.*, p. 160.

⁹⁴ ECA, ACC827, trial transcript Trial transcript, witness testimony of Agnes Dawson, p. 106; Georgina McArtney, p. 112; Maries McDonald, p. 96.

⁹⁵ NRS, HH16/1 Press Reports, *Daily Express*, 1 December 1933.

⁹⁶ Clive Emsley, 'Sergeant Goddard: The Story of a Rotten Apple or a Diseased Orchard?', In Amy Srebnik Gilman and Levy Rene (eds), *Crime and Culture: An Historical Perspective, Advances in Criminology* (Aldershot: Ashgate, 2005) pp. 85-104.

Policing Clandestine Prostitution

In addition to furthering our understanding of clandestine prostitution in Edinburgh, the Kosmo case and the related newspaper coverage also provides information about the methods that were used to police it. For example, William Merrilees (the sergeant in charge of the case) explained that they went through a process of 'shadowing, watching, checking, reporting' and that these surveillance operations often went 'on from 9 or 10pm until as late as 3am.'⁹⁷ Another police officer described how 'observations were taken from adjacent houses ... and a police car was constantly in attendance to follow taxi cabs and private cars which left the club with dance instructresses.'⁹⁸ Merrilees also explained how he had 'got in touch with one of the instructresses as a result of certain communications', and then on the night of the raid the 'officers proceeded to the club in a van at midnight', but he approached the club before the others with 'two lady detectives.'⁹⁹ Merrilees also explained that he 'got to know the taxi drivers' so that he could gain their confidence and support when trying to establish when and where the women left the club with male patrons.¹⁰⁰

It is clear from these descriptions that the police used a variety of methods. The most common was surveillance, but the testimony shows that they were also willing to co-operate with the dance instructresses and taxi drivers in order to secure evidence. From the witness list it is also clear that plain-clothes police played an important role in monitoring clandestine prostitution. Interestingly, this included women detectives, exemplifying their importance in this aspect of policing. In wake of the 1929 Committee on police procedures it was stressed that female officers should be present when women were involved in cases of 'indecentcy' and female officers were increasingly assigned to escort female prisoners and take their statements.¹⁰¹ Overall, although this case cannot prove that prostitution was a major concern for the entire police force, the amount of time, resources and dedication given to the case suggests that clandestine prostitution was an important issue during the early 1930s. It is likely that this emphasis on prostitution may have been in part

⁹⁷ Merrilees, *The Short Arm of the Law* p. 107.

⁹⁸ NRS, HH16/1 Press Reports, *Daily Express* 5 December 1933.

⁹⁹ NRS, HH16/1 Press Reports, *Glasgow Herald*, 5 December 1933.

¹⁰⁰ *Ibid*, p. 386.

¹⁰¹ See, Louise Jackson, *Women Police: Gender, Welfare and Surveillance in the Twentieth Century* (Manchester: Manchester University Press, 2006), p. 186.

due to the recent Street Offences Committee headed by Hugu McMillan in 1927 to investigate the policing of street offences, particularly the solicitation laws.

Merrilees' testimony also offers us a glimpse of the process involved in bringing brothel cases to court. When asked whether he found all the evidence he needed to justify that 13 Hart Street was a brothel he explained: 'I found quite sufficient evidence to prove that there had been that night, but hardly sufficient, I think, to prove a case in the police court.'¹⁰² After further questioning about why the case was not brought to court, he explained that it 'repeatedly happens.'¹⁰³ This suggests that it was difficult to secure convictions for brothel-keeping, and that the police and Procurator Fiscal needed a considerable amount of evidence before they would consider putting the case forward in the police court. Therefore, although the police may have been keen to secure convictions for brothel-keeping, the actual number they could send to court was limited by the large amount of evidence necessary to secure a conviction. For example, Merrilees complained that although it was important to catch a man and woman in bed or undressed together within the brothel, once they had knocked on the door the couples had time to move into separate rooms.¹⁰⁴ Additionally, proof that men and women were frequently visiting the brothel took many hours of prolonged surveillance, something which required considerable resources, especially considering that evidence must be corroborated by two people under Scots Law.

The Role of Men as Managers and Clients

The owner of the Kosmo Club was Asher Barnard. Barnard was born in Canterbury on 1 January 1884 to a Jewish family. In 1885 the family moved to Portsmouth, where he was educated and where his father was employed as a shop assistant and tailors' cutter. After he finished his education, he moved to Scarborough to work as a shop assistant and later moved to Glasgow, where he was employed in a wholesale tailoring establishment as a salesman and then as a tailor in men's and women's clothes. He moved to Edinburgh and set up as a dealer of cars, opening up a garage in Portobello in 1905 and then another at 11 James Place. Following this he also

¹⁰² ECA, ACC827, trial transcript, witness testimony of William Merrilees, p. 284

¹⁰³ Ibid.

¹⁰⁴ Ibid.

opened a ladies' hairdressing saloon at 23 Jocks Lodge and became a Burgess of the city in 1921. In 1916 he was called up for army service, but he was declared unfit, so he instead taught soldiers how to drive.¹⁰⁵ During this period he married and had two children. In May 1923 he opened the dance club business, which would later become known as the Kosmo Club.

The manager, Edwin Jones, was described in the newspapers as a fifty-two-year-old married man with two children. Jones was reported to have been mainly employed in 'odd-jobs', such as 'cleaning, lights and fires', and his wife had worked as a cook at the club.¹⁰⁶ He resided at St. James Place, close to the Kosmo Club, and his rent was paid for by Barnard. Before working at the Kosmo Club, he worked in Manchester as a stableman and also as an outsider for the Prince of Wales in Marlborough House, London.¹⁰⁷ The floor manager, twenty-seven-year-old James Black, was reported to have come from Inverness and was married with a two-year-old child.¹⁰⁸ Before his employment at the Kosmo Club, he was a gardener and a Royal Scots Trooper. He served with the Scots Guard for several years in Scotland and India as a Lance Corporal and claimed that he would have been promoted had he not been transferred to the Army Reserves due to the Army's funding cut in 1926.¹⁰⁹ He described his duties in the Kosmo Club as 'keep[ing] records of dances, good order and discipline', but insisted that he knew nothing of what the girls did when 'booked-out'.¹¹⁰

Before the jury's announcement of the verdict, there was considerable debate over whether or not they could find Barnard guilty but not Black and Jones (because the jurors were aware that Barnard could not have conspired to profit from prostitution without co-conspirators). The jury did eventually find Black and Jones guilty and sentenced them to three months each. However, after the trial a petition was sent by the members of the jury to explain that they had not understood that they could convict the men separately. An appeal launched by Jones and Black then found

¹⁰⁵ *Scotsman*, 6 December 1933, p. 8.

¹⁰⁶ NRS, HH16/1 Press Reports, *Dundee Courier and Advertiser*, 6 December 1933.

¹⁰⁷ *Ibid.*

¹⁰⁸ *Ibid.*

¹⁰⁹ ECA, ACC827, trial transcript, witness testimony of James Black, p. 349.

¹¹⁰ NRS, JC34/1/155 Appeal by Edwin Jones and James Black against conviction for the crime of aiding and abetting prostitution, p. 231.

that these two men were not guilty, and their sentences were dropped.¹¹¹ This raises questions concerning why the jury felt that Black and Jones were less responsible than Barnard. The most obvious reason was that Barnard was the owner, whereas Black and Barnard were only employees. However, these factors seem to have already been brought into consideration in the original trial and were the reason behind Black and Jones receiving a three-month sentence each, as opposed to the eighteen-month sentence given to Barnard. Moreover, there was considerable evidence to suggest that Black was more instrumental in the day-to-day management of the club than Barnard. For example, on several occasions Black was described as the person who arranged to which brothels the patrons and instructresses would go, and to whom the money was paid.¹¹² The lack of public hostility felt towards these two men is therefore intriguing, considering that they were also involved in the exploitation of women; yet Barnard was the only one to be heavily demonised. In comparison to Edwin Jones and James Black who were Scottish ‘family men’, one of whom had been in the Scots Guard, Barnard was English, Jewish, an outsider, and therefore possessed some of the typical characteristics of the traditionally demonised white slaver.¹¹³ Arguably, this case could exemplify the increasing role that xenophobia and anti-Semitism played in creating villains within Scottish society during the early twentieth century.¹¹⁴

Although less prominent, the relationship between race and sexuality was also prevalent in the trial testimony. Returning again to the issue of white slavery, Mr Blades defended Barnard from accusations that he was a white slaver by arguing that the fact that Barnard ‘protected Pearl from the last final calamity that can befall her, sexual intercourse with a man of colour’, meant he could not be a white slaver.¹¹⁵ This demonstrates Blades’ open prejudice towards ‘men of colour’ and his apparent belief that the sexual exploitation of white women by coloured men was an inherent characteristic of white slavery. The importance of race was not only stressed by Mr

¹¹¹ Ibid.

¹¹² NRS, HH16/1 Press Reports, *Glasgow Herald*, 29 November 1933; NAS JC34/1/155, witness testimony of Barnard, p. 11.

¹¹³ NRS, HH16/1 Press Reports, *Dundee Courier and Advertiser*, 6 December 1933.

¹¹⁴ For more on antisemitism in Scotland and its links with increased immigration see, for example, Ben Barber, ‘The Trial of Oscar Slater (1909) and Anti-Jewish Prejudices in Edwardian Glasgow’, *Journal of the Historical Association*, 88 (2003) pp. 262-279.

¹¹⁵ ECA, ACC827, trial transcript, witness testimony of Mr Blades, p. 463.

Blades; Pearl herself was also reported to have stated that 'she declined to have anything to do with a coloured man. She had not got so low as that yet.'¹¹⁶ Prejudice towards different ethnic minorities' backgrounds was clearly an important issue when negotiating what she understood to be acceptable sexual activity.

Men Who Bought Sex

Information about the men who bought sex is often difficult to obtain, as these men did not commit any offences under the law and were of relatively little interest to voluntary organisations who were more concerned about reforming the women who sold sex, rather than the men who bought it. There is, therefore, little evidence available to provide a detailed profile of the men who visited 'prostitutes' or any documentation of their experiences. However, the testimony from the Kosmo trial does provide some information about the male patrons of the Kosmo Club and their attitudes towards prostitution. For example, Robert Swan, a twenty-four-year-old book-maker, appeared not to see 'booking-out' as prostitution:

Procurator Fiscal (PF): What was your purpose? **Robert Swan (RS):** to have a night out.

(PF): Explain the purpose for which you booked out the girl? **(RS):** Well, of course, that all depended on myself. It is a matter of what I wanted, not really what the girl wanted. I am not saying anything against the girls in the matter. I wanted immorality, but I am not saying that I always got it. I was responsible for that.

(PF): What was the purpose for that? **(RS):** What I wanted was immorality. I don't say I necessarily got it, but that is what I wanted.

(PF): And that was the purpose you had in view when you booked them out? **(RS):** certainly.

(PF): Was it one girl in particular that you wanted to see? **(RS):** Always.

(PF): And the arrangement you had was a private and personal one between yourself? **(RS):** Certainly.... Of course, if I ever thought of taking her out through the day, it doesn't necessarily follow it would be for immoral purposes. She is a very nice little girl, and all that sort of thing.

(PF): Although ultimately on occasions you did have immoral relation with the girl, that was not the sole purpose of your companionship with her? **(RS):** Oh no, I wouldn't say that against the girl, oh no.¹¹⁷

Swan displayed a certain degree of respect for the 'girl' and appeared not to have labelled her as a prostitute. Although his attempts to redirect blame away from the

¹¹⁶ ECA, ACC827, trial transcript, witness testimony of Jean Fairbairn, p. 463.

¹¹⁷ ECA, ACC827, trial transcript, witness testimony of Robert Swan, p. 226.

dance partner suggests that he wanted to protect her reputation, his description of how 'it is a matter of what I wanted, not really what the girl wanted', and how she was a 'little girl', suggests that he assumed control in the relationship. However, his comment that, although he wanted immorality, he did not necessarily get it, implies that he was aware of the dance hostesses' power to deny him sex. Moreover, his emphasis on their 'private and personal relationship', which only sometimes led to sex, rather than describing it as the straightforward purchase of sex, suggests that Swan wanted to believe that he was involved in a scenario similar to a normal courtship rather than prostitution. Perhaps he felt guilty or uneasy about the realities of prostitution, or, alternatively, the insinuation that he had to pay for sex may have been socially embarrassing because it offended his sense of masculinity.

However, not all of the men were ready to admit that they 'booked-out' women. For example, Robert Murray, a thirty-eight-year-old book-maker, denied knowing Flo Hunter or going with her to Stewart Boarding House for immoral relations, adding that he was 'a married man' who 'didn't go with another woman'.¹¹⁸ Alternatively, men such as twenty-one-year-old Robert Glenny admitted that he had 'booked-out' women for 'immoral purposes', but denied his moral responsibility by stating that he 'hardly insisted'.¹¹⁹ This suggests these men felt guilty or embarrassed about their behaviour once it was exposed to public scrutiny and therefore lied about their behaviour or blamed the dance partners. Although some men were abusive towards the dance hostesses (as described in some of the earlier cases), other men appear to have treated the women well. For example, George Ferguson, a twenty-seven-year-old clerk, described how he had asked for his 30 shillings back from Flo Hunter because she told him she could not find them a hotel. However, when Flo told him that she would 'get the sack' if she went back without any money, he agreed that she could keep the money and that nothing would happen that night.¹²⁰ Nonetheless, many instances of violence and abuse went unreported and were unlikely to have been recorded in the police or court records. Therefore, it is difficult to know more about the hidden abuse that these women may have suffered, or to make any broad claims about the behaviour and attitudes of male

¹¹⁸ ECA, ACC827, trial transcript, witness testimony of Robert Murray, p. 148.

¹¹⁹ NRS, JC34/1/155, witness testimony of Robert Glenny, p. 35.

¹²⁰ ECA, ACC827, trial transcript, witness testimony of George Ferguson, pp. 145-147.

clients. Nonetheless, these examples demonstrate the complexity of the different power relationships between the dance partners and the patrons and how the attitudes and opinions of the men varied depending on the individuals involved.

One particularly interesting patron was Councillor John McDiarmid Airlie. As the councillor for the central St. Giles ward in Edinburgh, and a member of the city's committee for streets and buildings, Airlie was in a position that would have given him considerable power regarding the licensing of clubs such as the Kosmo. Airlie was reported to have been to the Kosmo Club on many occasions and had apparently known Barnard well enough to ask for a loan of £200.¹²¹ Airlie insisted that he only ever went to the Kosmo Club with his wife and that he never 'booked-out' women.¹²² However, this friendship between Barnard and Airlie understandably raised suspicions of corruption, albeit suspicions that ultimately could not be proven.¹²³

Police witness reports taken for use in importuning cases also provide more information about the men who bought sex. The reports mainly described the men according to their occupation, with the key distinction being whether they were civilians or in the armed forces. For example, the most common descriptions used were: civilian, soldier, naval seaman or sailor. In the majority of cases, little more was written about the men involved, especially because most of the men refused to be witnesses. In general, the role of the male customer in the prosecution process was minimal; however, the police reports do tell us a little more about their attitudes towards the women, and about their, and the police force's, understanding of the role that male customers played in prostitution.

When the men who had allegedly been importuned were asked to make a statement, a large majority refused. It is perhaps understandable that these men did not want to be involved in a time consuming court case which could risk tarnishing their reputation. Nonetheless, what is more significant is the attitude of the police. For example, the police appear to have viewed this refusal as normal and acceptable,

¹²¹ NRS, HH16/1 Press Reports, *Daily Express*, 1 December 1934.

¹²² ECA, ACC827, trial transcript, witness testimony of John McDiarmid Airlie, p. 212.

¹²³ NRS, JC34/1/155, witness testimony of Barnard, p. 59.

and did not see it as a problem for securing a conviction. Although the police had no legal power to force these men to bear witness, in the majority of cases they did not appear to be particularly forceful in their attempts to pressure men into making a statement. This suggests two things: firstly that evidence from two police officers was sufficient to warrant prosecution, and, secondly, that the police had little interest in the men who bought sex because it was only the women who had committed an offence.

However, not all of the men who had been importuned refused to give a statement. Some men did so because they thought that they had to, but others did attempt to help the woman who had been arrested. For example, in one case a man told his friend to make a statement which explained that they had walked up to the woman and 'spoke to her first', because he thought this would mean that she would not be arrested for importuning.¹²⁴ Although these instances represent only a minority of cases, they do suggest that some men felt sympathy towards the women and wanted to help them avoid arrest. Nonetheless, when the men were then asked to go to the police station as witnesses, they largely refused to do so.¹²⁵ It would seem that for those men who at least attempted to help the accused woman, when it came to risking their own reputation or being inconvenienced, they became less willing to help.

Conclusion

The Kosmo trial provides us with a valuable case for examining indoor, more clandestine types of prostitution – something which by its very nature is often more difficult for historians to access. As new technologies, such as the telephone and the motor car, became more widely available, those involved in the sex industry took advantage of the opportunities for more private and hidden forms of prostitution that were facilitated by technological inventions which allowed for the separation of the site of solicitation from the location of the sex act. Although by the 1930s the police tried to target these new venues, the Kosmo trial highlights the difficulties that were involved in policing a new type of clandestine prostitution that was not adequately legislated against. Julia Laite has shown how increased criminalization of

¹²⁴ ECA, Edinburgh Burgh Court Records (hereafter, EBCR), case of Molly Wilson, 23 July 1921.

¹²⁵ ECA, EBCR, case of Helen Garvie, 9 January 1915.

prostitution led to more clandestine types of prostitution which were more dangerous and increased women's isolation. However, whilst that may have been the case for the women who lived and worked in individual flats with pimps, the Kosmo trial has shown that this was not necessarily the case in venues such as dance clubs, where women could work together in more comfortable surroundings, often with little interference from the police.

The chapter has also explored the role that men played in prostitution, both as business managers and as clients. Whilst Barnard was demonised as a 'white slaver', Black and Jones were attributed with less blame, even though Black appeared to have been as equally involved as Barnard in managing the club, and controlling the movement and behaviour of the dance hostesses, both inside and outside of the club. The fact that Barnard was an outsider, due to his English and Jewish origins, may have made him a more convenient and reassuring culprit, rather than blaming Scottish men. Although the managers did not appear to physically force the women into prostitution, they did expect the women to be willing to engage in prostitution in order to earn higher wages. Unlike the 'pimps' who often physically abused the women, rather than using violence the Kosmo managers simply took advantage of women in poor economic circumstances who needed the higher wages that 'booking-out' provided. With the Kosmo Club taking two-thirds of the dance partners' wages, the managers not only encouraged the women to engage in prostitution, but also exploited them financially. Although less is known about the male clients, the chapter has shown how their attitudes towards, and relationships with, dance partners were often complex. Whilst some clients were abusive or indifferent towards the dance partners, others appear to have had more sympathy for the women.

The witness statements of the dance partners offer us a rare insight into the lives of women who engaged in prostitution via 'booking-out'. One of the most difficult aspects of researching and understanding prostitution in the past is the lack of opportunities to hear the voices of the women involved. However, the Kosmo case allows us to capture fragments of these voices, and to explore some of the ways in which the women resisted attempts made by the police, magistrates and club owners to label and control them, instead relying on their own individual understanding of prostitution, morality and respectability to negotiate the complexities of prostitution

in 1930s Edinburgh. Although some women, due to their socio-economic circumstances, had few options but to take advantage of the higher wages provided by 'booking-out', the Kosmo Club was not a site of forced prostitution. Even though both the prosecution and the newspapers used the 'white slavery' narrative to describe the case, the notion that these women were all victims of evil 'white slavers' who forced them into prostitution is misleading. Whilst Barnard certainly economically exploited the dance partners, and the women were vulnerable to abuse from customers, the dance partners' witness statements have highlighted the many ways in which they attempted to negotiate these dangers. Whilst the women who 'quite brazenly glorif[ing] in the fact' that they were involved in prostitution were scorned by the lawyers for not conforming to an image of the passive victim, these women clearly demonstrated the ability to determine their own life choices, even if those choices were somewhat limited. Therefore, whilst on the one hand, their testimonies highlight the exploitation and danger dance partners faced, on the other hand, they also demonstrate how these women defended themselves, both in the courtroom and in their everyday lives.

Chapter Seven: Conclusion

The period between 1892 and 1939 saw both considerable changes and continuities in the regulation and organisation of prostitution in Scottish cities. This thesis has looked at the nature of those developments in terms of the policing of prostitution, both formally and informally, and the experiences of the women involved. The thesis has shown how, rather than being increasingly criminalized and ostracized from society, the women involved in prostitution remained socially and geographically situated within the centre of the city and within working-class communities. Although poverty, inequality, exploitation and abuse continued to affect the lives of many of the women involved in prostitution, this thesis has highlighted the numerous ways in which women attempted to overcome these disadvantages and displayed a level of agency that has often been overlooked. Whilst distinctions certainly existed between people who were perceived as 'respectable' and 'non-respectable', too much emphasis has been placed on the notion that those who worked in prostitution were isolated from the rest of society. Instead, the continuing importance of 'economies of makeshift' meant that many women moved in and out of prostitution, alongside employment in other working-class occupations, in accordance with their changing socio-economic circumstances at different stages during their life cycles. Moreover, the increasing role that voluntary organisations and probation played in the regulation of prostitution meant that, rather than being sent to prison, women were increasingly encouraged to return to 'respectable' working-class society through the use of training and reform programmes which emphasized the importance of their domestic vocation within the working-class community.

Whilst historians researching prostitution in England, and particularly in London, have found that commercial sex was increasingly criminalized during the early twentieth century, this thesis has shown that in Edinburgh and Glasgow this process of criminalization was not as prevalent or detrimental to the women involved as was the case in London. The persistent presence of street prostitution in central, middle-class areas demonstrates that attempts to restrict the movement of prostitutes were largely unsuccessful. Whilst the women involved in prostitution were subject to arrest by the police, and were not, therefore, completely free to move as they pleased,

the continued decline in conviction rates throughout the period suggests that there was no policy of increased criminalisation.

On the one hand, it could be argued that this reduction in convictions may reflect a more general decline in the number of women involved in prostitution. As women's wages, welfare-benefits and job opportunities moderately improved and attitudes towards pre-marital sex became marginally more relaxed after the First World War, demand may have decreased, and women may have had less need to resort to prostitution in order to survive. Moreover, the growth of new clandestine, indoor forms of prostitution reduced the number of women visibly working on the streets, making it harder for the police to make arrests. On the other hand, however, even when this move to more clandestine environments is taken into account, along with the possibility that there was a reduction in overall levels of prostitution, the large reduction in the number of arrests remains a significant indicator that the police were becoming less concerned about arresting prostitutes. Furthermore, fines and prison sentences generally remained low throughout the period, with women regularly paying a small fine in order to avoid a prison sentence. Although paying fines was an unpleasant inconvenience, it appears that all but the very impoverished women earned enough money to pay the fines. Consequently, it is possible to argue that the fear of arrest was not strong enough to prevent women from working in the more profitable central and middle-class areas.

Along with conviction statistics, the police records also show that in both Edinburgh and Glasgow there was no strong demand or support for increasing the criminalisation of prostitution. On the contrary, many of the police officers appear to have been apathetic towards policing prostitution, seeing it as a moral issue for the concern of the Kirk and conscience, rather than as police work. Moreover, the 1892 Burgh Police Act and other local by-laws continued to be used to police prostitution throughout the period, without any increase in the severity of punishment for importuning offences. The only time that enthusiasm was shown for increased criminalization was in relation to brothel-keepers and 'bullies'. These characters were viewed with particular disgust because of their exploitation and abuse of prostituted women. Nonetheless, although the police may have tried harder to catch 'bullies' and brothel-keepers, the Kosmo case study shows that this was often a

difficult and lengthy process, resulting in low prosecution rates throughout the period.

In terms of the geography of prostitution, the thesis has shown that in both Edinburgh and Glasgow street prostitution occurred in the very centre of the city. In Edinburgh, the survival of the Burgh Court records has facilitated the creation of a detailed picture of how the location of prostitution developed throughout the period. Although prostitution continually occurred in central areas, the most evident change during this period was the movement of the majority of prostitution from the less wealthy Old Town areas to the more prosperous middle and upper class New Town. This movement northwards began in the nineteenth century but increased dramatically after the First World War, so that by the 1930s the majority of the street prostitution offences occurred in the New Town. An important facilitator of this change was the 'degeneration' of certain parts of the East End of the New Town, which meant that previously middle-class town houses were 'made down' and rented to working-class families, lodgers and women involved in prostitution. However, the primary reason why prostitution moved into the New Town was due to its location within the centre of the entertainment district and its proximity to the main train station. These factors increased women's chances of successfully importuning men who passed by on their way to and from their night's entertainment. There are fewer sources available for Glasgow; however, the thesis has shown that a similar pattern as in Edinburgh emerged in Glasgow. Whilst poor working-class areas, such as Cowcaddens and the Gorbals, continued to be popular locations for prostitution throughout the period, the more central streets, such as Sauchiehall Street, Argyle Street and Bath Street, which were located in the entertainment and business districts, came to play a more prominent role.

The location of brothels in both cities, however, was less restricted by the need to be highly visible, a fact which meant they could be distributed more widely across the city. The increasing usage and availability of cars and taxis meant that men could meet women in a central location and then drive to a brothel that was located in a more secluded area for the sex act. Once men knew of a brothel's location, they could return again without needing to be solicited. Brothels, however, were often little more than small flats run by other working-class women who needed

extra income, or by a group of two or more 'prostitutes' living together. Although larger brothels catering to richer clients may have existed in wealthier areas of the city, they do not appear in the police records and were far less common.

This thesis has shown how women involved in prostitution predominantly lived in cheaper working-class districts, such as Edinburgh's Old Town and the South Side, or in less expensive areas of the New Town. However, the women regularly crossed over into the middle-class districts in the central and West End of the New Town to solicit. Here they could importune men and then take them to either an outdoor secluded spot or to rented accommodation that was predominantly located in the East End and Old Town. These indoor spaces included short-time flats or hotels, where women could rent a room for a set period, lodging houses, furnished rooms, brothels, or private lodging. Therefore, unlike in nineteenth-century Cambridge and Liverpool, prostitution in Edinburgh was not restricted to a particular 'tolerance' zone, and the women could move relatively freely between working and middle-class areas of the city.¹ Similarly, in Glasgow 'informal tolerance zones' never developed. After the Second World War an informal tolerance zone was established in Leith on the outskirts of the Edinburgh. However, the exact reasons for this post-war development are beyond the scope of this thesis, and further research is needed to examine how and why this later development occurred.²

The thesis has shown how a close relationship developed between the police, magistrates, the probation service and voluntary organisations that were involved in the controlling of prostitution. Since the nineteenth century, voluntary organisations had worked together with the police and magistrates to help 'reform' and provide 'after-care' for women who left the court and prison. Moreover, senior police officers in both Glasgow and Edinburgh were keen to work together with voluntary organisations to develop a system of probation that would reform women rather than send them to prison. In 1907 the introduction of the Probation Act incorporated the informal reform work undertaken by voluntary organisations into a new formal

¹ See, for example, Philip Howell, *Geographies of Regulation: Policing Prostitution in Nineteenth Century Britain and the Empire* (Cambridge: Cambridge University Press, 2009).

² See, for example, Roger Davidson and Gayle Davis, "'A Festering Sore on the Body of Society': The Wolfenden Committee and Female Prostitution in Mid-Twentieth-Century Scotland", *Journal of Scottish Historical Studies*, 24 (2005) pp. 80-98.

system of probation. However, although the Act introduced new powers and procedures, the individuals and organisations involved in reform work remained virtually the same. Moreover, the women who were placed on probation were often sent to the same voluntary reform homes that had been used prior to the Act. Furthermore, rather than voluntarily entering and exiting these institutions, the women were now forced to stay there under the new rules of their probation bond. Consequently, the Christian and middle-class ideologies that underpinned these voluntary organisations became officially integrated into the new system of probation.

Voluntary organisations, such as the Magdalene Asylums, judged and treated women according to whether they met appropriate standard of respectable femininity. This method of separating women according to whether they were either young and 'newly fallen' or 'hardened criminals' was central to the organisation of these reform institutions. Their aim was to reform women according to Christian, middle-class notions of respectable femininity, and women considered incapable of meeting this expectation were refused admittance. Reform homes, such as the Magdalene Asylums in Glasgow and Edinburgh, used a rigorous routine of domestic training, secular education and religious teaching to reform women into virtuous domestic servants, wives and mothers. Even those 'inmates' who emigrated abroad were still expected to remain within a domestic setting, regardless of the increasing opportunities available for women in new 'white collar' occupations.

In this respect, these voluntary organisations had changed little from their nineteenth-century predecessors. Admittedly, over the course of the first half of the twentieth century the methods employed by these institutions became less austere, and considerable improvements were made to the living conditions of the 'inmates'. In particular, the National Vigilance Association of Scotland (Eastern Division) was critical of institutionalisation and used the individual case work method to improve the care they provided for the women, rather than resorting to incarceration or domestic labour. Nonetheless, irrespective of the new methods employed by some of the organisations, the overriding ideology of reforming women according to notions of domesticity and respectable femininity remained paramount. Therefore, as the probation service became more important in the regulation of prostitution, the

distinctions the voluntary organisations made between women according to their supposed 'character' became part of the official legal system – a development which had long-lasting implications for the treatment of 'sexually deviant' women by the state.

The attitudes of Chief Constables and individual officers on the beat towards prostitution were also influenced by this thinking. Whilst many officers were apathetic towards prostitution, some voiced sympathy for the women involved. However, their sympathy and understanding was primarily reserved for young women who were seen as 'victims', rather than for 'hardened' prostitutes who were thought to be beyond redemption. By focusing on women's 'character', the authorities and the rest of society were able to emphasise the flaws of the individual woman rather than the wider socio-economic inequalities that led her to become (and remain) involved in prostitution – an issue that still remains a problem today. Neil McKeganey's recent research on prostitution in twenty-first-century Scotland delivers similar conclusions to those which this thesis has provided for the early twentieth century.³ When questioning women about why they became involved in prostitution, McKeganey found that the majority entered prostitution out of 'dire need'. The reasons behind this 'dire need' included poverty, the necessity of providing for dependants, domestic and sexual abuse, lack of alternative options and drug addiction.

Whether probation was in reality a more desirable option than prison for women who were placed on that path remains questionable. Although for some women it meant that they were spared a prison sentence, and possibly a cycle of repeated convictions, for many women it resulted in a loss of freedom for periods much longer than the maximum prison sentence for solicitation offences. The women on probation were subjected to a long list of rules and were often restricted in where they could live or with whom they could socialise. Additionally, if probation officers felt that any of the rules had been broken, they could report this to the magistrates, and the woman could be sent to prison in accordance with their original offence. Furthermore, the development of this more 'penal-welfare' approach to policing prostitution encouraged increased surveillance of and control of women. By placing

³ Neil McKeganey, 'Street Prostitution in Scotland: The Views of Working Women', *Drugs: Education, Prevention and Policy*, 13, 2 (2006) pp. 151–166.

women on probation, the authorities extended their basis for disciplinary intervention and regulation by acquiring detailed knowledge, not only of the offenders, but also of their families.⁴

Although there has been a considerable amount of research on the organisations that tried to police, control and reform 'deviant women', less is known about the lives of the women subjected to this regulation. The women involved in prostitution had less access to the types of resources that would have preserved their experiences, and it is primarily the records of the police, courts and reform organisations that provide information about these women. These records are heavily mediated by the organisations that produced them, and whilst it is only possible to gain small fragments of the women's stories from them, this thesis has brought together a wide range of these different fragments to form a collective biography which explores women's experiences of prostitution during the early twentieth century.

Each woman's story was unique and complex; however, this thesis has demonstrated that many common themes can be drawn from looking at these women as a group. By examining the records of over one hundred women involved in prostitution, it has been possible to establish more about their backgrounds. The majority of women were from working-class homes and many had experienced poverty, desertion, abuse, disease and imprisonment. The social profile of the women often depended on what type of prostitution they were engaged in. For example, those employed in more clandestine types of prostitution in dance clubs, such as the Kosmo, were often younger and less impoverished than those who worked on the streets. Whereas women who worked at the Kosmo Club earned 30 shillings per 'booking' and could make several pounds a week, women working on the streets made much less, often earning only a few shillings per transaction. These women's experiences, therefore, were likely to have been quite different, and the women themselves made distinctions between different 'classes' of prostitutes.

Whereas chapter two shows that prostitution was not forced into the outskirts of society geographically, chapters five and six demonstrate that this was also true socially. Although the middle classes and aspirational working classes may have

⁴ David Garland, *Punishment and Welfare a History of Penal Strategies* (Aldershot: Gower, 1885).

tried to keep their distance from prostitution, the women involved in prostitution in Edinburgh and Glasgow were not necessarily as isolated from the rest of the working class as many historians have suggested. The majority of the women involved in prostitution lived in working-class areas and were frequently engaging in a wide range of activities with other working-class men and women. Moreover, the prison, police and poor records show how women frequently moved in and out of prostitution and other working-class occupations according to their economic circumstances, thus suggesting that Tony Henderson's notion of the 'makeshift economy' was equally relevant to women working in prostitution during the early twentieth century as it was in the eighteenth century.⁵ Whilst the long criminal histories of some women suggest that a considerable minority of them relied on petty crime, casual labour and prostitution to survive, the relatively short records of other women demonstrate that it was common for women to enter prostitution whilst young and with few prospects, but to leave as soon as they married or found better employment. Moreover, whilst the authorities may have increasingly tried to label women as prostitutes, the thesis has demonstrated that the women themselves did not necessarily view the selling of sex as their main source of employment or identity.

Julia Laite has shown that increased criminalization of prostitution in London during the early-twentieth century forced women into more clandestine forms of prostitution, which consequently made them more isolated and vulnerable to abuse.⁶ This thesis, however, has found that this primarily applied to women who worked alone with pimps. Whilst women in more clandestine environments, such as the Kosmo Club, lost some of their freedom and a percentage of their wages, they did not appear to be any more isolated from other women than those who worked on the street. Moreover, the treatment of the women involved in prostitution by their clients does not necessarily appear to have been affected by the location, with abuse occurring in all settings. Whilst there were some examples of men who treated the women respectfully and tried to help them avoid arrest, most men were more concerned about protecting their own reputations than about the fates of the women.

⁵ Tony Henderson, *Disorderly Women in Eighteenth-Century London: Prostitution and Control in the Metropolis, 1730-1830* (Longman: London, 1999).

⁶ Julia Laite, *Common Prostitutes and Ordinary Citizens: Commercial Sex in London, 1885-1960* (Basingstoke: Palgrave Macmillan, 2012).

By far the most dangerous environment was working and living alone with a pimp. The case studies have shown that several of these men were very violent and that the women were forced to engage in prostitution to support them. However, the relationships between 'pimps' and 'prostitutes' were often much more complicated than has traditionally been understood. In some situations women had romantic attachments with the men and benefited from the protection they provided. In other situations it was not always clear if the man was actually a 'pimp', or merely the partner of a woman who engaged in prostitution. Nonetheless, there is little evidence to suggest that the involvement of 'bullies' in prostitution increased during this period.

The ambiguity regarding the nature of relationships between 'prostitutes' and others involved in commercial sex also applied to 'brothel-keepers'. Whilst some certainly did exploit and manipulate women, in many situations the brothels were run by other women selling sex, or by poor individuals and families that needed extra money from renting rooms. In these circumstances it was not always clear who held the most power. Furthermore, lodging house managers often had little hands-on involvement in prostitution and mainly just provided rooms for women to rent as and when they needed them.

Examining the complexity of these relationships has highlighted the many ways in which women engaged in acts of resistance. Several previous studies on prostitution have emphasized the ways in which the women involved in prostitution were victims of both class and gender discrimination due to their poor socio-economic circumstances and inequality within a patriarchal society.⁷ However, although these factors are important, to focus only on these issues risks denying these women's historical agency. Whilst this thesis has shown that these socio-economic factors continued to play a large role in the experiences of women during the twentieth century, they were not passive victims. Many of the women resisted the attempts of the police, voluntary organisations and probation workers to control and shape their behaviour. Similarly, many women found the courage to testify against their abusive 'bullies' or to break the rules of brothel and dance club managers.

⁷ See, for example, Frances Finnegan, *Poverty and Prostitution: A study of Victorian Prostitutes in York* (Cambridge: Cambridge University Press, 1979).

Whether through the use of violence, evasion of arrest, testifying in court, absconding from reform homes or probation, or simply refusing to abide by the rules laid down for them, these women were fully capable of demonstrating their agency. In many cases this resistance was fleeting, with the contravention of probation rules often resulting in a prison sentence, or an escape from an abusive bully resulting in harsh punishments. Nonetheless, these examples show how the women involved in prostitution utilised the resources available to them to try to determine the courses of their own lives, even if these resourced were minimal and their options limited.

In terms of a comparison between Edinburgh and Glasgow, the different nature of the surviving sources in each city makes a like-with-like comparison difficult. Nevertheless, the thesis has demonstrated many similarities in the nature of prostitution, and comparability in the methods of formal and informal policing in each city. Whilst the life courses of the women in either city were shaped by their unique urban environment, wider socio-economic factors continued to affect their lives, regardless of each city's particularities. Recent research on prostitution in the late twentieth century has shown how Edinburgh and Glasgow adopted very different strategies towards policing prostitution.⁸ Whereas Glasgow developed a no-tolerance policy towards prostitution, in-part because of the strong influence of anti-prostitution feminists within the council, Edinburgh adopted more pragmatic approaches, by first creating an informal tolerance zone in Leith, and then encouraged prostitution to move indoors by relaxing the enforcement of licensing laws in the 'saunas' and 'massage parlours' that were used for clandestine prostitution. However, this process happened after the end of the Second World War, and therefore outwith the scope of this thesis. More research is therefore needed to establish the underlying reasons behind these post-war changes.

The thesis has shown that, in many respects, the policing, organisation and experiences of prostitution in Scotland were similar to those in England. The fact that this thesis focuses on Edinburgh and Glasgow rather than on Scotland as a whole, and that the research on prostitution in England during the twentieth century focuses

⁸ Lucy Holmes 'A Tale of Three Cities: Regulating Street Prostitution in Scotland', *Scottish Affairs*, 52 (2005), pp. 71-88.

primarily on London, makes it difficult to compare the whole of Scotland and England. Further research is therefore needed to make such comparisons more substantial. Nevertheless, the thesis has highlighted some important differences between the two countries. In Scotland, it was the Procurator Fiscal who decided which cases would be brought to court, rather than the police, as was the case in England. Additionally, Scottish law required two witnesses to give evidence before a conviction could be made, rather than one, as was the case in England. Both these differences made it less likely that the Scottish police could be accused of malpractice or corruption. However, the most important difference was the formal use of the cautioning system in Scotland. This system allowed women several chances before they were arrested and possibly sent to prison. In conjunction with increased co-operation among the police, magistrates, the probation service and voluntary workers, this cautioning system gave women more opportunities to avoid arrest and imprisonment. There has been no comparable research on the role of probation and voluntary services in the regulation of prostitution in England, which makes it difficult to compare the two countries. Nonetheless, it appears that the long tradition of religious and voluntary organisations within Scottish society helped to shape the distinct nature of prostitution policing in Scotland.

Finally, The Kosmo case study has demonstrated, not only how new forms of clandestine prostitution developed, but also how the narrative of 'white slavery' that originated in the nineteenth century continued to play an important role in prostitution discourses during the early twentieth century. Even today, issues of 'white slavery', or 'human trafficking', as it is now known, remain prominent. Whilst this is a serious issue and deserves full public attention, it should not be at the expense of helping other women involved in prostitution.⁹ By focusing on forced prostitution and the image of the 'passive victim', the more deep-rooted socio-economic factors which limit the number of alternative choices available to women are side-lined. The thesis has demonstrated how many of the women involved in prostitution were not 'passive victims', but did the best they could with the limited

⁹ See Jo Doezema, 'Loose Women or Lost Women? The Re-Emergence of the Myth of 'White Slavery' in Contemporary Discourses of 'Trafficking in Women', *Gender Issues*, 18, 1 (2000) pp. 23-50.

resources at their disposal to resist those who tried to control or abuse them. However, these women were penalised for not conforming to the passive victim stereotype, and left to fend for themselves, often becoming part of a revolving door system of prison, poor law, casual labour and prostitution. Further research is needed to investigate how and why the factors that influenced prostitution during the early twentieth century continue to affect the experiences of the women involved in prostitution in the twentieth first century.

Bibliography

Archive Sources

Edinburgh City Archive

Edinburgh Burgh Court Records, 1900-1939 (not catalogued).

Edinburgh Magdalene Asylum Ladies Committee Minutes: SL237/2/3.

Edinburgh Magistrates Minutes: SL/12/3.

Edinburgh Police Criminal Conviction Registers (not catalogued).

Edinburgh Police General Order books: ED006/2.

Edinburgh Police Return of Crimes: ED006/1.

Kosmo Trial Transcript: ACC827.

Glasgow City Archive

Glasgow Magdalene Institute Annual Reports: T-PAR.

Glasgow Magdalene Institute Home Committee Minutes: TD1776/1.

Glasgow Police Annual Reports: DTC 7/19/1.

Glasgow Police City and Burgh Specimen Charge Book: SR22/63/40.

Glasgow Police General Order Books: NMSR22/43.

Glasgow Police Instruction Books: SR22/60/13.

Glasgow Poor Law Records: D-Hew.

Memorandum on the Social Evil in Glasgow, 1911: T. PAR 1.16, p. 279.

The Origins and Development of the Glasgow Magdalene Institute, Glasgow, 1905: PA11/2/8.

National Records of Scotland

Appeal by Edwin Jones and James Black against conviction for the crime of aiding and abetting prostitution: JC34/1/155.

Bill of suspension and liberation by Alfred Joseph Vaughn, Ivy Summerhayes or Vaughn: JC31/1919/7.

Bill of Suspension and Liberation by Otto Hall: JC31/1913/24.

Criminal Case file: Asher Barnard, Edwin Jones, James Black: HH16/1.

Duke Street Prison Registers: HH21/32, 1903-1931.

Judiciary appeal by John James McIntyre, P. F. Glasgow V William Thomson: JC31/1912/10.

Press Report Cuttings from the Kosmo Trial: HH16/1.

Street Offences Committee File: HH60/263.

Transcript of Verdict and Ensuing Discussion in the Kosmo Club Trial: HH16/1 C/112/1.

Trial transcript taken for the Sheriff Court at the trial of Asher Barnard, James Black and Edwin Jones: JC34/1/155.

National Library of Scotland

Family Care Papers, Newspaper Cuttings: Acc.11191 1928.

Minutes of the Ladies Committee National Vigilance Association of Scotland (Eastern division) 1913-1926: Acc.11191/2.

Women Patrols Papers: HH31/16/1-13.

Imperial War Museum

Women's Work Collection, The Annual Report of the Women Patrols For Scotland 1914 – 1920: EMP 42/3.

Women's Library London Metropolitan University

The Association of Moral and Social Hygiene (AMSH): Papers on Solicitation Laws in Scotland 1892-19553: AMS/b/04/02.

Newspapers

Daily Express

Dundee Courier and Advertiser

Evening Standard

Glasgow Herald

Manchester Guardian

Scotsman

The Times

Acts

Burgh Police (Scotland) Act 1892 (55&56 Vict.c. 55).

Criminal Law Amendment Act 1885 (48&49 Vict.c. 69).

Criminal Law Amendment Act 1912 (3&4 Geo 5, c. 38).

Defense of the Realm Act 1914 (4&5 Geo. 5, c. 29).

Edinburgh Burgh Police (Scotland) Act 1898 (58&59 Vict.c. 152).

Edinburgh Municipal and Police Act 1879 (42&43 Vict. c. cxxxii).

Glasgow Police (Further Powers) Act 1892 (55&56 Vict. c. 165).

Immoral Traffic (Scotland) Act 1902 (1&2 Geo 5, c. 20).

Published Books (Primary)

Acton, W., *Prostitution Considered in its Moral, Social, and Sanitary Aspects* (London, 1972).

Cockerill, A.W., *The Memoirs of Percy Sillitoe* (London: W.H. Allen, 1975).

Colquhoun, R., *Life Begins at Midnight* (London, 1962).

Logan, W., *The Great Social Evil and its Causes, Extent, Results and Remedies* (London, 1871).

McNee, D., *McNee's Law* (London: Collins, 1983).

Merrilees, W., *The Short Arm of the Law, the Memoirs of William Merrilees, O.B.E., Chief Constable, the Lothians and Peebles Constabulary* (Edinburgh, 1966).

Muir, E., *Scottish Journey* (London, 1935).

Rolph, C.H (ed.), *Women of the Streets, A Sociological Study of the Common Prostitute* (London: Secker & Warburg, 1955).

Tait, W., *Magdalenism: An Inquiry into the Extent, Causes and Consequences of Prostitution in Edinburgh* (Edinburgh, 1840).

Waugh, E., *Brideshead Revisited* (London, 1945).

Wilde, O., *The Picture of Dorian Gray* (London, 1890).

Published Books (Secondary)

Anderson, A., *Tainted Souls and Painted Faces: The Rhetoric of Fallenness in Victorian Culture* (London: Cornell University Press, 1993).

Arnot, M., Bartels, E. Beechey, V. Birke, L. Himmelweit, S. Hitelegg, E. Leonard, D. Ruehl, S. Speakman, A. (eds), *The Changing Experience of Women* (Oxford: Robertson, 1982).

Bailey, P., *Leisure and Class in Victorian England: Rational Recreation and the Contest for Control, 1830-1885* (London: Routledge, 1975).

Banerjee, S., *Under the Raj: Prostitution in Colonial Bengal* (New York: Monthly Review Press, 1998).

Barrie, D., *Police in the Age of Improvement: Police Development and the Civic Tradition in Scotland, 1775-1865* (Cullompton: Willan, 2008).

Barry, K., *The Prostitution of Sexuality* (New York: New York University Press, 1995).

Bartley, P., *Prostitution, Prevention and Reform in England, 1860-1914* (London: Routledge, 2000).

Bernstein, L., *Sonia's Daughters: Prostitutes and Their Regulation in Imperial Russia* (Berkeley: University of California Press, 1995).

Bingham, A., *Family Newspapers? Sex, Private Life and the British Popular Press, 1918-1978* (Oxford: Oxford University Press, 2009).

Bland, L., *Banishing the Beast* (London: Penguin Books, 1995).

- Bourke, J., *Working-Class Cultures in Britain 1890-1960: Gender, Class and Ethnicity* (London: Routledge, 1994).
- Braybon, G., *Out of the Cage: Women's Experiences in Two World Wars* (London: Pandora Press, 1987).
- Braybon, G., (ed.), *Evidence, History and the Great War: Historians and the Impact of 1914-18* (Oxford: Berghahn Books, 2003).
- Breitenbach, E and Gordon, E (eds), *The World is Ill divided: Women's Work in Scotland in the Nineteenth and Early Twentieth Centuries* (Edinburgh: Edinburgh University Press, 1990).
- Bridge, G and Watson S (eds), *A Companion to the City* (Oxford: Blackwell Publishers, 2000).
- Bristow, E., *Prostitution and Prejudice, the Jewish Fight against White Slavery, 1870-1939* (Oxford: Clarendon, 1982).
- Bristow, E., *Vice and Vigilance: Purity Movements in Britain Since 1700* (Basingstoke: Palgrave Macmillan, 1977).
- Broadberry, S.N., *Market Service and the Productivity Race, 1850-2000: British Performance in International Context* (Cambridge: Cambridge University Press, 2006).
- Brophy, J and Smart, C (eds), *Women-in-Law: Explorations in Law, Family and Sexuality* (London: Routledge and Kegan Paul, 1985).
- Broyden, M., *On the Mersey Beat* (Oxford: Oxford University Press, 1991).
- Cameron, E., *Impaled Upon the Thistle: Scotland Since 1889* (Edinburgh: Edinburgh University Press, 2012).
- Certeau, M., *The Practice of Everyday Life* (London: California University Press, 1984).
- Clark, E. P., *The Cambridge Urban History of Britain* (Cambridge: Cambridge University Press, 2000).
- Clark, H and Carnegie, E., *She was aye Workin': Memories of Tenement Women in Edinburgh and Glasgow* (Oxford: White Cockade in association with the People's Story, City of Edinburgh Council, and the People's Palace, Glasgow City Council, 2003).
- Cohen, S., *Folk Devils and Moral Panics: The Creation of the Mods and Rockers* (Oxford: Basil Blackwell, 1987).

- Collins, M., *Modern Love: An Intimate History of Men and Women in Twentieth Century Britain* (London: Atlantic, 2003).
- Connelly, M., *The Response to Prostitution in the Progressive Era* (Chapel Hill: University of North Carolina Press, 1980).
- Cook, H., *The Long Sexual Revolution* (Oxford: Oxford University Press, 2004).
- Cooper J, Mundy R, and Nelson, J., *Taxi! Urban Economies and the Social and Transport Impacts of the Taxicab* (Farnham: Ashgate, 2001).
- Cooter R, Harrison M, and Sturdy, S (eds), *Medicine and Modern Warfare* (Amsterdam: Atlanta, 1999).
- Corbin, A., *Women for Hire: Prostitution and Sexuality in France after 1850*, trans. Alan Sheridan (London: Harvard University Press, 1990).
- Cowley, R., *A History of the British Police: From its Earliest Beginnings to the Present Day* (Stroud: History Press, 2011).
- Cox, P., *Gender, Justice and Welfare: Bad Girls in Britain, 1900–1950* (Basingstoke: Palgrave Macmillan, 2003).
- Cree, V. E., *From Public Streets to Private Lives: The Changing Task of Social Work* (Aldershot: Avebury, 1995).
- Critcher, C., *Moral Panics and the Media* (Milton Keynes: Open University Press, 2003).
- Cross, G., *A Social History of Leisure since 1600* (Massachusetts: Venture, 1990).
- Culleton, C., *Working-Class Culture, Women, and Britain, 1914-1921* (Basingstoke: Macmillan, 1999).
- D' Cruze, S., *Crimes of Outrage: Sex Violence and Victorian Women* (London: UCL Press, 1998).
- Daniels, K., *So Much Hard Work: Women and Prostitution in Australian History* (Sydney: Fontana, 1984).
- Davensport-Hines, R., *Sex, Death and Punishment: Attitudes to Sex and Sexuality in Britain since the Renaissance* (London: Collins, 1990).
- Davidoff, L and Hall, C., *Family Fortunes: Men and Women of the English Middle Class, 1780-1850* (London: Hutchinson, 1987).
- Davidson, R and Hall, L (eds), *Sex Sin and Suffering: Venereal Disease and European Society since 1870*, (London: Routledge, 2001).

Davidson, R., *Dangerous Liaisons: a Social History of Venereal Disease in Twentieth-Century Scotland* (Amsterdam: Rodopi, 2000).

Davidson, R and Davis G., *The Sexual State: Sexuality and Scottish Governance, 1950-1980* (Edinburgh: Edinburgh University Press, 2012).

Davies, A., *The Gangs of Manchester* (Preston: Milo Books, 2008).

Davies, A., *Leisure, Gender and Poverty* (Milton Keynes: Open University Press, 1992).

Donnelly, D and Scott K. (eds), *Policing Scotland* (Cullompton, Willan Publishing, 2005).

Faley, J., *Up oor close: Memories of Domestic Life in Glasgow Tenements, 1910-1945* (Wendlebury: White Cockade, 1994).

Farmer, L., *Criminal Law, Tradition and Legal Order: Crime and the Genius of Scots Law 1747 to the Present* (Cambridge: Cambridge University Press, 1997).

Finnegan, F., *Poverty and Prostitution: A study of Victorian Prostitutes in York* (Cambridge: Cambridge University Press, 1979).

Finnegan, F., *Do Penance or Perish: Magdelene Asylums in Ireland* (Oxford: Oxford University Press, 2001).

Foucault, M., *Discipline and Punish: The Birth of the Prison* (London: Penguin, 1979).

Foucault, M., *Madness and Civilization: A History of Insanity in the Age of Reason* (London, 1967).

Foucault, M., *The History of Sexuality* (Harmondsworth, Penguin, 1981).

Francis, D., *Red Light Neon: a History of Vancouver's Sex Trade* (Vancouver: Subway, 2006).

Gallacher, T., *Glasgow and the Uneasy Peace, Religious Tensions in Modern Scotland, 1819 – 1914* (Manchester: Manchester University Press, 1987).

Garland, D., *Punishment and Welfare a History of Penal Strategies* (Aldershot: Gower, 1985).

Gibson, M., *Prostitution and the State in Italy, 1860-1915* (Ohio: Ohio State University Press, 1986).

Giddens A, Held D, Hubert D, Seymour D, Thompson J (eds), *The Polity Reader in Social Theory* (Cambridge: Polity Press, 1995).

Gilfoyle, T., *City of Eros: New York City, Prostitution, and the Commercialization of Sex, 1790-1920* (London: W.W. Norton, 1992).

Grant, D., *The Thin Blue Line: The Story of the City of Glasgow Police* (London: Long, 1973).

Grayzel, R.S., *Women and the First World War* (Harlow: Longman, 2002).

Guy, D.J., *Sex & Danger in Buenos Aires: Prostitution, Family, and Nation in Argentina* (Lincoln: University of Nebraska Press, 1991).

Hall, L and Porter, R., *The Facts of Life: The Creation of Sexual Knowledge in Britain, 1650-1950* (London: Yale University Press, 1995).

Hall, L., *Sex, Gender and Social Change in Britain since 1880* (Basingstoke: Palgrave Macmillan, 2000).

Hamilton, D., *The Healers: A History of Medicine in Scotland* (Edinburgh: Mercatpress, 1981).

Harris, V., *Selling Sex in the Reich* (Oxford: Oxford University Press, 2010).

Harrison, B., *Drink and the Victorians: The Temperance Question in England, 1815-1872* (London: Faber and Faber, 1971).

Henderson, T., *Disorderly Women in Eighteenth-Century London: Prostitution and Control in the Metropolis, 1730-1830* (London: Longman, 1999).

Henriot, C., *Prostitution and Sexuality in Shanghai: A Social History, 1849-1949* (Cambridge: Cambridge University Press, 2001).

Hershatter, G., *Dangerous Pleasures: Prostitution and Modernity in Twentieth Century Shanghai* (Berkeley: University of California Press, 1997).

Howell, P., *Geographies of Regulation: Policing Prostitution in Nineteenth Century Britain and the Empire* (Cambridge: Cambridge University Press, 2009).

Hughes, A., *Gender and Political Identities in Scotland, 1919-1939* (Edinburgh: Edinburgh University Press, 2009).

Humphries, S., *A Secret World of Sex: Forbidden Fruit: The British Experience 1900-1950* (London: Sidgwick and Jackson, 1988).

Hunt, A., *Governing Morals: A Social History of Moral Regulation* (Cambridge: Cambridge University Press, 1999).

- Hutter, B and Gillian, W. (eds), *Controlling Women: The Normal and the Deviant*, (London: Croom Helm, 1981).
- Jackson, L., *Women Police: Gender, Welfare and Surveillance in the Twentieth Century* (Manchester: Manchester University Press, 2006).
- Jeffreys, S., *The Idea of Prostitution* (Melbourne: Spinifex Press, 1997).
- Jeffreys, S., *The Industrial Vagina: The Political Economy of the Global Sex Trade* (Oxford: Routledge, 2009).
- Jeffreys, S., *The Spinster and her Enemies, Feminism and Sexuality 1880-1930* (London: Pandora, 1985).
- Jordan, J and Sharp, I., (eds), *Josephine Butler and the Prostitution Campaigns: Diseases of the Body Politic* (London: Routledge, 2003).
- Klein, J., *Invisible Men, the Secret Lives of Police Constables in Liverpool, Manchester and Birmingham, 1900-1939* (Liverpool: Liverpool University Press, 2010).
- Kohn, M., *Dope Girls: The Birth of British Drug Underground* (London: Granta, 1992).
- Laite, J., *Common Prostitutes and Ordinary Citizens: Commercial Sex in London, 1885-1960* (Basingstoke: Palgrave Macmillan, 2012).
- Lefebvre, H., *The Production of Space* (Oxford: Basil Blackwell, 1991).
- Levine, P., *Prostitution, Race and Politics: Policing Venereal Disease in the British Empire*, (London: Routledge, 2003).
- Levine, P., *Victorian Feminism, 1850-1900* (London: Century Hutchinson, 1987).
- Luddy, M., *Prostitution and Irish Society 1800-1940* (Cambridge: Cambridge University Press, 2007).
- Mahood, L., *Policing Gender, Class and Family: Britain, 1850-1940* (London: UCL Press, 1995).
- Mahood, L., *The Magdalenes: Prostitution in the Nineteenth Century* (London: Routledge, 1990).
- Valverde, M., *The Age of Light, Soap, and Water: Moral Reform in English Canada, 1885-1925* (Toronto: Toronto University Press, 2008).

- Vanstone, M., *Supervising Offenders in the Community: A History of Probation Theory and Practice* (Aldershot: Ashgate, 2004).
- McHugh, P., *Prostitution and Victorian Social Reform* (London: Croom Helm, 1979).
- McLaren, A., *The Trials of Manhood: Policing Sexual Boundaries 1870-1930* (Chicago: The University of Chicago Press, 1997).
- McNay, L., *Foucault and Feminism: Power, Gender and the Self* (Cambridge: Polity Press, 1992).
- Melman, B., *Flappers and Nymphs: Women and the Popular Imagination in the Twenties* (Basingstoke: Palgrave Macmillan, 1998).
- Morris, N and Rothman, D., (eds), *The Oxford History of the Prison: The Practice of Punishment in Western Societies* (Oxford: Oxford University Press, 1995).
- Mort, F., *Dangerous Sexualities: Medico-Moral Politics in England since 1830* (London: Routledge, 1987).
- Nagle, J., *Whores and Other Feminists* (London: Routledge, 1997).
- Nead, L., *Myths of Sexuality: Representations of Women in Victorian Britain* (Oxford: Basil Blackwell, 1988).
- Nolland, L., *A Victorian Feminists Christian: Josephine Butler, the Prostitutes and God* (Carlisle: Paternoster, 2004).
- O'Connell, D., *Prostitution, Power and Freedom* (Cambridge: Polity, 1998).
- Okin, S.M., *Justice, Gender and the Family* (New York: Basic Books, 1989).
- Osler, A., *Introduction to the Probation Service* (Winchester: Waterside, 1995).
- Pacione, M., *Glasgow: The Socio-Spatial Development of the City* (Chichester: John Wiley and Sons, 1995).
- Panayi, P., *Immigration, Ethnicity and Racism in Britain, 1815-1845* (Manchester: Manchester University Press, 1994).
- Pearson, M., *The Age of Consent: Victorian Prostitution and Its Enemies* (Newton Abbot: David and Charles, 1972).
- Petrow, S., *Policing Morals: The Metropolitan Police and the Home Office, 1870-1914* (Oxford: Clarendon Press, 1994).

- Philip, N., *Working Girls: An Illustrated History of the Oldest Profession* (London: Bloomsbury, 1991).
- Porter, R and Hall, L., *The Facts of Life: The Creation of Sexual Knowledge in Britain 1650-1950* (Yale: Yale University Press, 1995).
- Prochaska, F. K., *Women and Philanthropy in Nineteenth-Century England* (Oxford: Clarendon Press, 1980).
- Pugh, M., *We Danced All Night: A Social History of Britain Between the Wars* (London: Bodley Head, 2008).
- Ringdal, N., *Love for Sale: A Global History of Prostitution* (London: Atlantic, 2004).
- Robb, G and Erber, N (eds), *Disorder in the Courts: Trials and Sexual Conflict at the Turn of the Century* (Basingstoke: Macmillan, 1995).
- Roberts, N., *Whores in History: Prostitution in Western Society* (London: Harper Collins, 1992).
- Rosen, R., *The Lost Sisterhood: Prostitution in America, 1900-1919* (London: Johns Hopkins University Press, 1982).
- Rossiaud, J., *Medieval Prostitution* (Oxford: Basil Blackwell, 1988).
- Scott, J., *Gender and the Politics of History* (New York: Columbia University Press, 1988).
- Self, H., *Prostitution, Women and Misuse of the Law: the Fallen Daughters of Eve* (London: Frank Cass, 2003).
- Sheilds, R., *Places on the Margin: Alternative Geographies of Modernity* (London: Routledge, 1991).
- Smout, T.C., *A Century of the Scottish People 1830-1950* (London: Fontana, 1986).
- Spongberg, M., *Feminizing Venereal Disease: The Body of the Prostitute in Nineteenth-Century Medical Discourse* (London: Macmillan, 1997).
- Srebnik, A. G and Levy, R., (eds), *Crime and Culture: An Historical Perspective. Advances in Criminology* (Aldershot: Ashgate, 2005).
- Strange, C., *Toronto's Girl Problem: The Perils and Pleasures of the City, 1880-1930* (Toronto: University of Toronto Press, 1995).
- Symanski, R., *The Immoral Landscape* (Toronto: Butterworths, 1981).

- Thane, P., (eds), *The Origins of British Social Policy* (London: Croom Helm, 1978).
- Thomas, B., *The Last Picture Shows, Edinburgh: Ninety Years of Cinema Entertainment in Scotland's Capital City* (Edinburgh: Moorfoot, 1894).
- Trudgill, E., *Madonnas and Magdalens: The Origins and Developments of Victorian Sexual Attitudes* (London: Heinemann, 1976).
- Varga, S., *Edinburgh New Town* (Stroud: Tempus, 2007).
- Vicinus, M., (ed.), *Suffer and be Still: Women in the Victorian age* (London: Methuen, 1972).
- Walker, G., *Intimate Strangers: Political and Cultural Interaction Between Scotland and Ulster in Modern Times* (Edinburgh: John Donald, 1995).
- Walkowitz, J. R., *City of Dreadful Delight: Narratives of Sexual Danger in Late-Victorian* (London: Virago, 1992).
- Walkowitz, J. R., *Prostitution and Victorian Society: Women, Class, and the State* (Cambridge: Cambridge University Press, 1980).
- Walkowitz, J.R., *Nights Out: Life in Cosmopolitan London* (London, Yale University Press, 2012).
- Weeks, J., *Sexuality* (London, 1986).
- Wilson, A., (eds), *Rethinking Social History: English Society 1570-1920 and its Interpretation* (Manchester: Manchester University Press, 1993).
- Wiener, M., *Reconstructing the Criminal: Culture, Law and Policy in England, 1830-1914* (Cambridge: Cambridge University Press, 1990).
- Wood Hill, M., *Their Sisters' Keepers: Prostitution in New York City, 1830-1870* (London, University of California Press, 1993).
- Zedner, L., *Women, Crime and Custody in Victorian England* (Oxford: Clarendon, 1991).
- Zweiniger-Bargielowska, I., *Women in Twentieth-Century Britain* (Harlow: Longman, 2001).

Book Chapters

Bland L., 'In the Name of Protection: The Policing of Women in the First World War', in J. Brophy and C. Smart (eds), *Women in Law: Explorations in Law, Family and Sexuality* (London: Routledge, 1985) pp. 23-49.

Bland, L., "'Cleansing the Portals of Life': The Venereal Disease Campaign in the Early Twentieth Century,' in M. Langan and B. Schwarz (eds), *Crises in the British State, 1880-1930* (London, 1985) pp. 196-97.

Emsley, C., 'Sergeant Goddard: The Story of the Rotten Apple, or a Diseased Orchard?' in A. Srebnick, and R. Levy (eds), *Crime and Culture a Historical Perspective* (Aldershot: Ashgate, 2005) pp. 85-104.

Farmer, L., "The genius of our law": Criminal Law and the Scottish Legal Tradition' in D. Sugarman (ed.), *Law in History: Histories of Law and Society Vol.II* (Aldershot: Ashgate, 1996) pp. 97-115.

Hart, A., 'Constructing a Spanish Red-Light District: Prostitution, Space and Power' in D. Bell and G. Valentine (eds), *Mapping Desire* (London: Routledge, 1995) pp. 195-207.

Lawrence, P., 'Scoundrels and Scallywags, and Some Honest Men...': Memoirs and the Self-Image of French and English Policemen, c. 1870 – 1939' in, *Comparative Histories of Crime* (eds), B.S. Godfrey, C. Emsley, G. Dunstall (Cullompton: Willan, 2003) pp. 125-144

Smart, C., 'Law and the Control of Women's Sexuality: The case of the 1950s', in P. Hutter and G. Williams (eds), *Controlling Women: The Normal and the Deviant* (London: Croom Helm, 1981) pp. 40-60.

Thoms, D., 'Motor Car Ownership in Twentieth Century Britain: A Matter of Convenience or a Marque of Status?', in D. Thom, L. Holden, T. Claydon (eds), *The Motor Car and Popular Culture in the Twentieth Century* (Aldershot: Ashgate, 1998) pp. 42-49.

Articles

Adler, M W., 'The Terrible Peril: A Historical Perspective on the Venereal Diseases', *British Medical Journal*, 281 (1980) pp. 206-11.

Ashworth, G. J, White, P.E and Winchester, H.P.M., 'The Red-Light District in the West European City: A Neglected Aspect of the Urban Landscape', *Geoforum*, 19 (1988) pp. 201-212.

- Barber, B., 'The Trial of Oscar Slater (1909) and Anti-Jewish Prejudices in Edwardian Glasgow', *History: Journal of the Historical Association*, 88 (2003) pp. 262-279.
- Bartley, P., 'Preventing Prostitution: The Ladies' Association for the Care and Protection of Young Girls in Birmingham, 1887-1914', *Women's History Review*, 7, 1 (1998) pp. 37-60.
- Beardsley, E H, 'Allied Against Sin: American and British Responses to Venereal Disease in World War One', *Medical History*, 20 (1976) pp. 189-202.
- Bingham, A., 'The British Popular Press and Venereal Disease during the Second World War', *The Historical Journal*, 48, 4 (2005) pp. 1055-1076.
- Cox, P., 'Compulsion, Voluntarism, and Venereal Disease: Governing Sexual Health in England after the Contagious Diseases Acts', *Journal of British Studies*, 46, 1 (2007) pp. 91-115.
- Davidoff, L., 'Mastered for Life: Servant and Wife in Victorian and Edwardian England', *Journal of Social History*, 7, 4 (1974) pp. 406-428.
- Davidson, R and Davis G., "'A Festering Sore on the Body of Society': The Wolfenden Committee and Female Prostitution in Mid-Twentieth-Century Scotland', *Journal of Scottish Historical Studies*, 24 (2005) pp. 80-98.
- Davidson, R., 'The Sexual State': Sexuality and Scottish Governance, 1950-1980', *Journal of the History of Sexuality*, 13, 4 (2004) pp. 500-521.
- Davies, A., 'The Scottish Chicago? From "Hooligans" to "Gangsters" in Inter-War Glasgow', *Cultural and Social History*, 4 (2007) pp. 511-527.
- Davies, A., 'Street Gangs, Crime and Policing in Glasgow in the 1930s: The Case of the Beehive Boys', *Social History*, 23, 3 (1998) pp. 251-68.
- Davies A., Glasgow's 'Reign of Terror': Street Gangs, Racketeering and Intimidation in the 1920s and 1930s', *Contemporary British History*, 21, 4 (2007) pp. 405-427.
- Davis, J., 'A Poor Man's System of Justice: The London Police Courts in the Second Half of the Nineteenth Century', *The Historical Journal*, 27 (1984) pp. 309-335.
- Doezema, J., 'Loose Women or Lost Women? The Re-Emergence of the Myth of 'White Slavery' in Contemporary Discourses of 'Trafficking in Women', *Gender Issues*, 18, 1 (2000) pp. 23-50.
- Farley, M., "Bad for the body, bad for the heart": Prostitution Harms Women Even if Legalized or Decriminalized', *Violence Against Women*, 10 (2004) pp. 1087-1125.

- Holmes, L., 'A Tale of Three Cities: Regulating Street Prostitution in Scotland', *Scottish Affairs*, 52 (2005), pp. 71-88.
- Howell, P., 'A Private Contagious Diseases Act: Prostitution and Public Space in Victorian Cambridge', *Journal of Historical Geography*, 263 (2000) pp. 376-402.
- Hubbard, P and Sanders T., 'Making Space for Sex Work: Female Street Prostitution and the Production of Urban Space', *International Journal of Urban and Regional Research*, 27, 1 (2003) pp. 75-89.
- Hubbard, P and Whowell, M., 'Revisiting the Red Light District: Still Neglected, Immoral and Marginal?', *Geoforum*, 39 (2008) pp. 1743-1755.
- Hughes, A., 'Working Class Culture, Family and Domestic Violence on Clydeside, c. 1918-1939: A View from Below', *Scottish Tradition*, 27 (2002), pp. 60-90.
- Innes, S., 'Constructing Women's Citizenship in the Interwar Period: the Edinburgh Women Citizens' Association', *Women's History Review*, 13, 4 (2004) pp. 621-647.
- James, J., 'Mobility as an Adaptive Strategy', *Urban Anthropology*, 4 (1975) pp. 349-64.
- Laite, J., 'Taking Nellie Johnson's Fingerprints: Prostitutes and Legal Identity in Early Twentieth-Century London', *History Workshop Journal*, 65 (2008) pp. 96-116.
- Laite, J., 'The Association for Moral and Social Hygiene: Abolitionism, and Prostitution Law in Britain, 1915-1959', *Women's History Review*, 17, 2 (2008) pp. 207-23.
- Larence, P., 'Images of Poverty and Crime: Police Memoirs in England and France at the end of the Nineteenth Century', *Crime, History and Societies*, 4 (2000) pp. 63-82.
- Leppänen, K., 'Movement of Women: Trafficking in the Interwar Era', *Women's Studies International Forum*, 30, 6 (2007) pp. 523-533.
- Levine, P., 'Walking the Streets in a Way no Decent Woman Should', *Journal of Modern History*, 66, 1 (1994) pp. 34-78.
- Logan, D., 'An "Outstretched Hand to the Fallen": The Magdalen's Friend and the Victorian Reclamation Movement: Part I. "Much More Sinned against than Sinning"', *Victorian Periodicals Review*, 30, 4 (1997) pp. 368-387.
- Mahood, L and Littlewood, B., 'The Vicious Girl' and the 'Street-Corner Boy': Sexuality and Gendered Delinquent in the Scottish Child-Saving Movement 1850-1940', *Journal of History of Sexuality*, 4, 4 (1994) pp. 549-578.

Mahood, L and Littlewood, B., 'Prostitutes, Magdalenes and Wayward Girls: Dangerous Sexualities of Working Class Women in Victorian Scotland', *Gender and History*, 3, 2 (1991) pp. 160-175.

McKeganey, N., 'Street Prostitution in Scotland: The Views of Working Women', *Drugs: Education, Prevention and Policy*, 13, 2 (2006) pp. 151-166.

McKewon, E., 'The Historical Geography of Prostitution in Perth, Western Australia', *Australian Geographer*, 34, 3 (2003) pp. 297-310.

McLaughlin, L., 'Discourses of Prostitution/Discourses of Sexuality' *Critical Studies in Mass Communication*, 8, 3 (1991) pp. 249-272.

McNeill, F., 'Remembering Probation in Scotland', *Probation Journal*, 52, 1 (2005) pp. 23-38.

Mort, F., 'Cityscapes: Consumption, Masculinities, and the Mapping of London', *Urban Studies*, 35, (1998) pp. 889-907.

Mort, F., 'Mapping Sexual London: The Wolfenden Committee on Homosexual Offences and Prostitution 1954-57', *New Formations*, 37 (1999) pp. 92-113.

Robertson, S., 'What's Law got to do with it? Legal Records and Sexual Histories' *Journal of the History of Sexuality*, 14, 1/2 (2005) pp. 161-185.

Sangster, J., 'Incarcerating 'Bad Girls': The Regulation of Sexuality Through the Female Refuges Act in Ontario, 1920-1945', *Journal of the History of Sexuality*, 7, 2 (1996) pp. 239-275.

Scoular, J., 'What's Law Got to do with it? How and Why Law Matters in the Regulation of Sex Work', *Journal of Law and Society*, 37,1 (2010) pp. 12-39.

Shumsky, N and Springer, L., 'San Francisco's Zone of Prostitution, 1880-1934', *Journal of Historical Geography*, 1 (1981) pp. 71-89.

Slater, S., 'Pimps, Police and Filles de Joie: Foreign Prostitution in Interwar London', *The London Journal*, 32, 1 (2007) pp. 53-74.

Slater, S., 'Containment: Managing Street Prostitution in London, 1918-1959', *Journal of British Studies*, 49, 2 (2010) pp. 323- 357.

Taylor, H., 'Rationing Crime: The Political Economy of Criminal Statistic since the 1850s', *Economic History Review*, 3 (1998) pp. 569-590.

Towers, B. A., 'Health Education Policy 1916-1926: Venereal Disease and the Prophylaxis Dilemma', *Journal of Medical History*, 24, 1 (1980) pp. 70-87.

Valverde, M., 'The Love of Finery: Fashion and the Fallen Woman in Nineteenth-Century Social Discourse', *Victorian Studies*, 32, 2 (1989), pp. 169-188.

Vickery, A., 'Golden Age to Separate Spheres? A Review of the Categories and Chronology of English Women's History', *The Historical Journal*, 36, 2 (1993) pp. 383-414.

Walkowitz, J., 'Going Public: Shopping, Street Harassment, and Streetwalking in Late Victorian London', *Representation*, 62 (1998) pp. 1-30.

Walkowitz, J., 'Male Vice and Feminist Virtue: Feminism and the Politics of Prostitution in Nineteenth Century Britain', *History Workshop Journal*, 13 (1982) pp. 79-93.

Woollacott, A., "'Khaki Fever" and its Control: Gender, Class, Age and Sexual Morality on the British Home Front in the First World War', *Journal of Contemporary History*, 29 (1994) pp. 325-347.

Wood, J C., 'The third Degree: Press Reporting, Crime Fiction and Police Powers in 1920s Britain', *Twentieth Century British History*, 21 (2010) pp. 464-485.

Unpublished Thesis

Laite, J., 'Prostitution in London, 1885-1939', PhD thesis (University of Cambridge, 2008).

Websites

Knox, W., 'Transport and Scottish Society 1840-1940', in *A History of the Scottish People* (eds), National Museum of Scotland Multimedia Team (Edinburgh Scottish Cultural Resources Access Network) www.scran.ac.uk (date last accessed 1 December 2012).

NLS geocoding site <http://geo.nls.uk/urbhist/mapbuilder.html> (date last accessed 1 December 2012).

Sarah Bromberg, *Feminist Issues in Prostitution* (1997) from feministissues.com (date last accessed 1 December 2012).

The International Prostitute's Collective, <http://www.prostitutescollective.net/> accessed 1 June 2012.

The Oxford Dictionary of National Biography, <http://www.oxforddnb.com/index.jsp> (date last accessed 1 December 2012).